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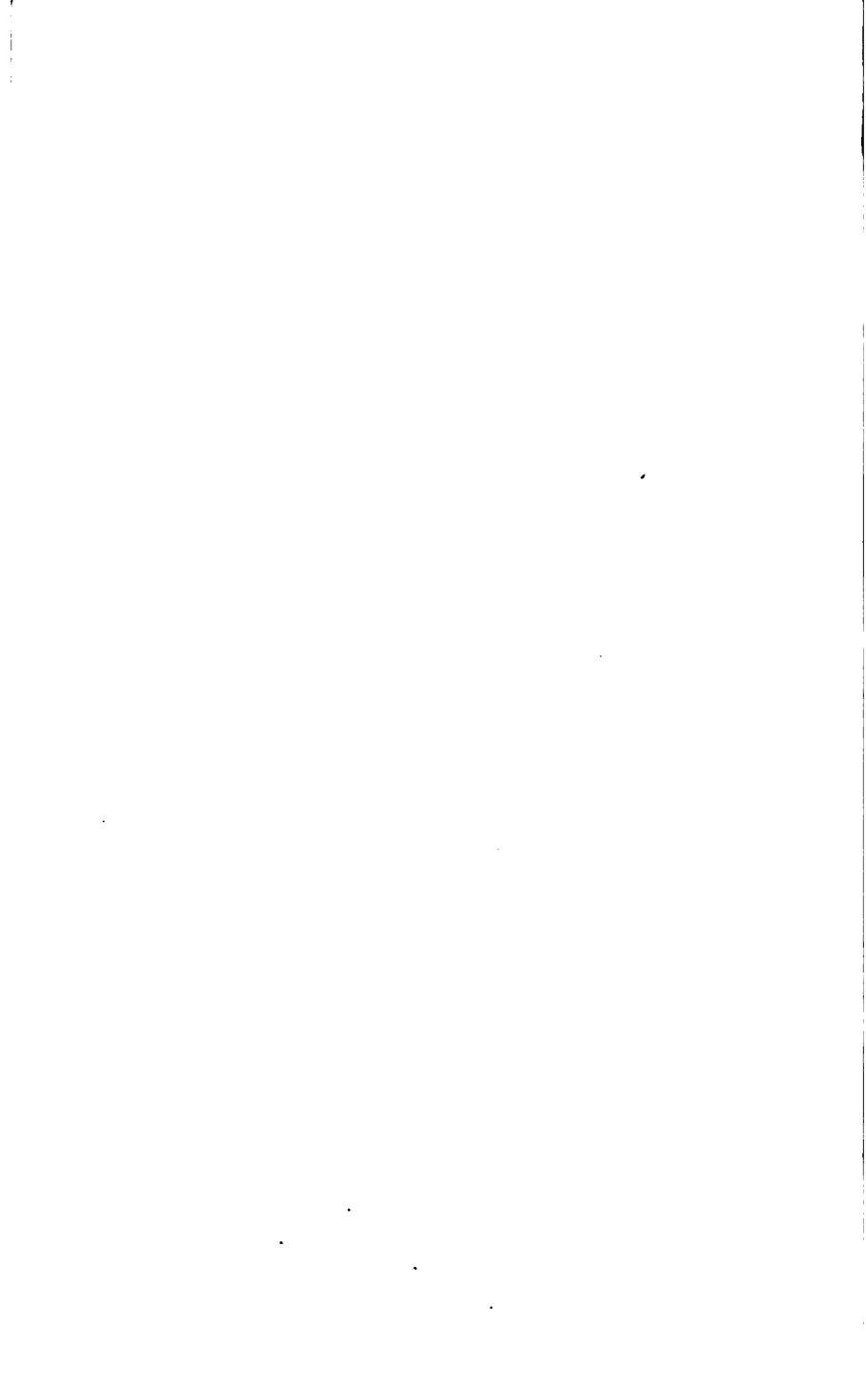
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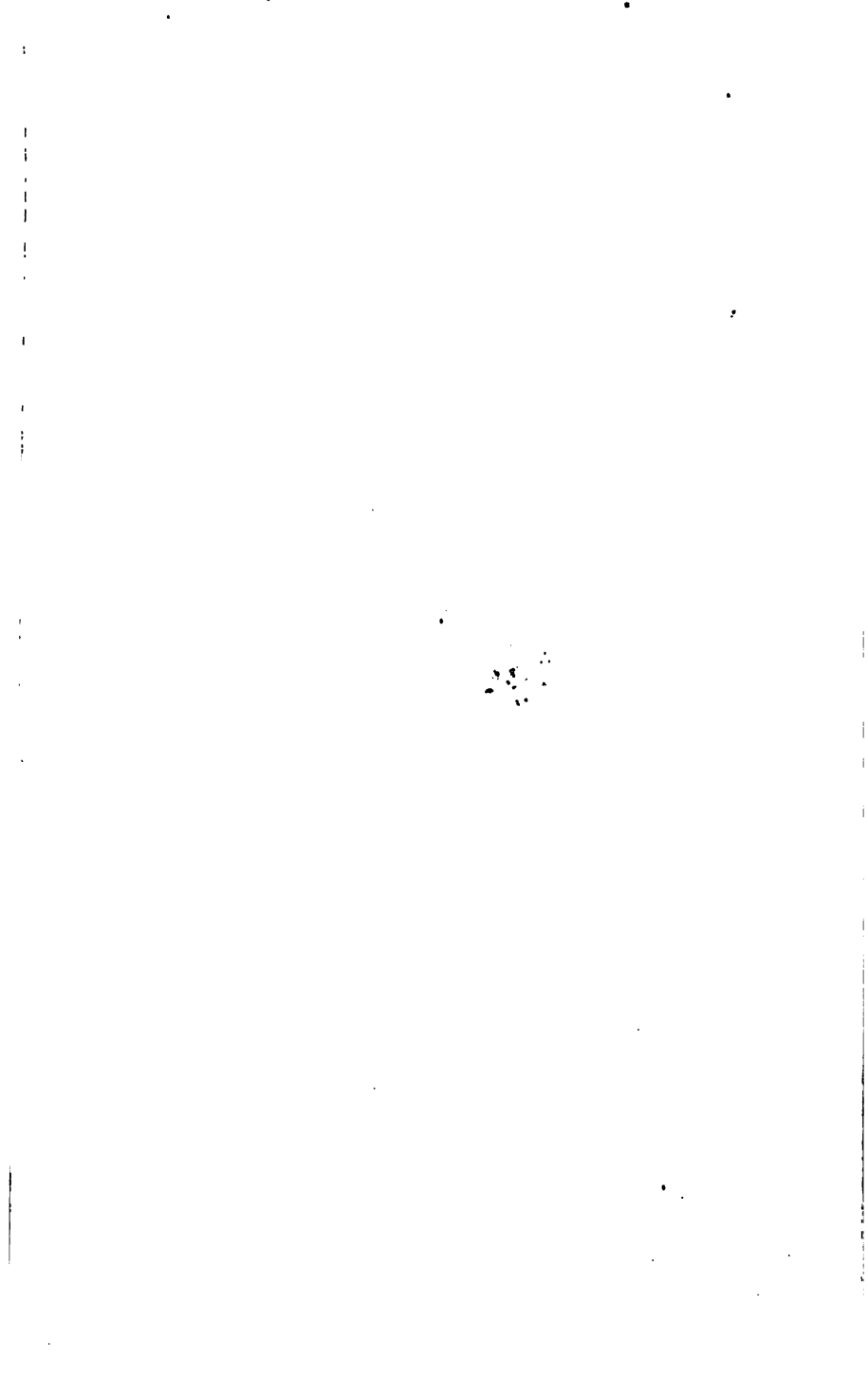
LONDON:
COLBURN AND CO., PUBLISHERS,
13, GREAT MARLBOROUGH-STREET.

1852.

226. e. 73.



LONDON :
PRINTED BY WILLIAM TYLER,
BOLT-COURT.



CANADA

AS IT WAS, IS, AND MAY BE.

CHAPTER I.

The occupation of Navy Island by citizens of the United States
and Canadian outlaws.

MACKENZIE having fled to the city of Buffalo, in the United States, and Bidwell having voluntarily left the province, in consequence of the proofs which the Lieutenant-governor had received of his conduct, all was, for a short time, peace and tranquillity.

The agitator, assisted by those of his friends who had escaped from Buffalo, continued, by dint of constant public speechifyings and meetings, to enlist a large body of refugees and sympathisers at Buffalo and its neighbourhood ; and, at length, a proclamation was issued, constituting Upper Canada an independent State, and, in an inflated style, promising land and mighty guerdon to those who should join the "Army of Liberation," under General Van Rensselaer.

I have kept part of that person's statement, referring to the invasion of the territory of Great Britain by citizens of the United States, which he made when

placed at length in the State prison at Albany, where he was confined, *pro forma*, for a short period; and, as it gives some insight to Mackenzie's true character, before I enter upon a short detail of the invasion, I shall insert it as a curious document in itself, and as it forms a link in the chain of the history of the times.*

• (From the Albany Daily Advertiser.)

Sir,—You will confer a great favour by allowing me sufficient space in your paper to redeem a pledge given through the *Onandaga Standard*, a few weeks since, viz:—to produce facts enough to show that the abandonment of the late intended Patriot Expedition against Kingston was chargeable to no one but William Lyon Mackenzie. It is to be hoped your brother Editors, particularly those in the west, who have been so prodigal of their severe criticisms on my conduct, immediately after the affair, will also give it an insertion. The publication, under my present peculiar situation, is deemed highly impolitic by many, but as I am constitutionally better able to sustain myself under any quantity of merited rebuke—let it come in what shape it may—than to endure the slightest lash of undeserved censure, I fain must run the risk. It should have been forthcoming sooner, but for the delay in waiting replies to my correspondence; and it should have been more explicit, in some cases, but my obligations to others, forbid it at present. Hereafter more proof may be given, if necessary to sustain my position.

Your obedient Servant,

RENS. VAN RENSSELAER.

Albany Jail, March 29th, 1838.

Narration of Facts connected with the Frontier movements of the Patriot Army of Upper Canada.

About 10th December last, while in Buffalo, on private business, I was urged by Thomas J. Southerland, who brought me a general letter of introduction from Hon. John W. Taylor, late Speaker, &c. —to take command of the Patriot forces, destined to act in liberating the oppressed of Upper Canada, and to establish a Republican form of Government in the province. ———, of the Council, organised before the rising, near Toronto, and William Lyon Mackenzie, member of the same, were the persons

Navy Island is situated at that part of the great river Niagara, where, after leaving Lake Erie, it forms a

from whom my authority was to be derived. Full and sole powers were to be invested in me to conduct all military operations in my own way and no one allowed to interfere. I required a stated time for reflection before my answer could be given. Pending this, the result of my more particular inquiries was a full confirmation of the opinions imbibed from previous notice of passing events in the Canadas, viz.: that the Canadas were only prevented by the strong arm of power from throwing off the yoke of foreign despots, and, notwithstanding the unfortunate issue of the ill-concerted battle of Toronto, that a vast majority of the people were in favour of a political reformation, that there was every encouragement for the belief, that if one successful battle was fought, and a good stand maintained for a short time, they would concentrate their forces and do their own fighting afterwards. With the hope of being instrumental in hastening a crisis so desirable to all the republican world—my wish as a Northerner to see the chivalrous example of the South, in the case of Texas, emulated here—my innate detestation of tyranny and oppression wherever manifested—finally, relying upon numberless promises of being sustained, and trusting in the smiles of heaven itself, I agreed to accept the offer. At that dark period, when the Patriots were flying in dismay from the dangers which beset them at their own firesides, and when few indeed were disposed to jeopardise their lives and prospects in their behalf—youth was not to be cavilled at. Thirty-seven years then was considered age sufficient to mature the judgment of any one who could resuscitate their drooping prospects, and the want of experience in actual service was deemed of no material consequence. Industry, zeal, management, prudence and determination were admitted to be every qualification expected, and all I asked was freely granted. Dr. Rolph even went so far as to propose himself, and to insist that I should have power to arrest any member of the Executive Council, provided it became necessary to do so, in order to prevent his interference in my department; Mr. Mackenzie, after a slight show of opposition, was obliged to acquiesce.

Shortly after this, word was brought me that a requisition had been made upon the American authorities by Governor Sir Francis B. Head, for the person of William Lyon Mackenzie, as a fugitive, murderer, robber, &c., from Canada. It was supposed at the time that it would have to be complied with, and our friends were solicitous that he should be placed entirely beyond its reach. I therefore

strait, in which are several islands and islets, dividing the strait into two channels on the British and Ame-

took him under escort from his hiding-place, at ten o'clock at night, to White Haven, on Grand Island, ten miles below the city, where the Canadian refugees and volunteers had assembled the day before for a descent upon Navy Island. These troops, represented to be 250 strong, with two pieces of artillery, 400 or 500 stand of arms, provisions, munitions, &c., in abundance, had not yet left their rendezvous when we reached it. When mustered to embark, only twenty-four appeared, excluding Mr. Mackenzie and myself. I had previously been informed, in consequence of the unavoidable delay, while making preparations for a movement connected with the difficulties which grew out of the seizure of the public arms at Buffalo, that many of the men had returned to their homes; but I was not prepared for such an appalling falling off. Mr. Mackenzie, on noticing it, sunk inert and spirit-broken upon the frame of a cannon, where he passively reclined until aroused by a false alarm. The idea of encamping on British territory, with such a paltry force, seemed hazardous enough to me, but considering this as the forlorn hope of the hunted Canadian—when I thought of his pitiable condition—of the immense interests at stake, of the unprepared state of the enemy, of speedy reinforcements promised me, and of the mortification incident to a retrograde movement—trusting in the good faith of our friends, and in Providence, the word was given—"push off."

The landing was effected unnoticed. The enemy did not *reconnoitre* the island until two days subsequently, when our first shot was fired ahead of their boat. It drove them back, we then were sixty strong. During the period we remained on the island, of the thousands who visited us, for business or curiosity, all are witnesses of the extent of the duties, fatigues, and perils which devolved upon me. None can say I shrunk from any, or neglected any. But among all the perplexities incident to the organization of a republican army for invasion—to a strict attention to its defences and protections against a powerful foe—to the reception of innumerable visitors, &c., &c., nothing was more perplexing than the conduct of William Lyon Mackenzie. I had known him long to have the reputation of a firm and consistent opposer of monarchical abuses; as such, I respected him so much that many little disagreements occurred between us before my confidence in him could be shaken. A breach, however, eventually did occur, which grew wider as my knowledge of his disposition and character increased. I found him governed by the impulses of the moment, fickle, arbitrary, and impatient. He would

rican shores. Navy Island is the last of these, and was reserved by the British Government for the sake of its

suggest fifty plans for effecting the object in view in as many minutes, and abandon them as often, but he could fix upon no single one and follow it out. If I presumed to differ or remind him of his stipulation not to interfere, his potent ire would immediately arise and a quarrel ensue.

On one occasion we differed as to the policy of appointing a time and place for two friends to meet us with 100 armed Canadians each. I wished them to remain at home until they knew we had landed on the main shore of the enemy, particularly so as their march would not be a long one to join us, and circumstances might oblige us to foil them another time, about crossing over to the enemy's camp, when they were strong and we less than 200. He offered there to be one of fifty to do so; but I heard nothing more of the project after giving him permission to get up a party for the purpose. The fears he openly expressed, in hearing of the troops, at the probable effect upon the island of the enemy's firing their mortars and heavy batteries, was very discouraging, and we quarrelled about that;—again, because he chose to consider himself in the light of a nonentity, for the reason that I did not deem it proper to call him in as a military counsellor. I should have done this most willingly if I had not, by this time, lost all faith in his qualifications or discretion. I was well aware, that with so little actual experience as I possessed, a trusty counsellor would be a great acquisition. To keep his restless spirit quiet, however, while our reinforcements were coming in, as well as to relieve myself of a most burthensome duty, the general correspondence was entrusted to his charge. How well, or how badly he performed the duty I am not able to judge, for he scarcely ever thought it necessary to make any reports, and his course in this respect has assuredly been detrimental to the service.

It is not my purpose to go into a detail of occurrences connected with Navy Island now, or to explain the cause which compelled me to evacuate it for American territory. The proper moment for doing that will arrive within a few months; when it shall be done, whatever the consequence may be. Then the faithful, hardy band, who stood their ground so long, notwithstanding the mighty efforts of Her Britannic Majesty's troops to dislodge us, and of the powerful American influences to dissuade us from the undertaking, shall have justice done them. Suffice it to say, that at the earliest day, when we found ourselves strong enough to act on the offensive, an immense array of teams were collected at Schlosser, Niagara falls, and the

timber for naval purposes, and thus was never granted, and remained covered with forest trees of large size.

vicinity, to create a belief that we intended landing there for the purpose of being carried down to the mouth of the river, so as to cross over to the enemy's shore at that point. A show of chartering boats at Buffalo and Black Rock was simultaneously made to create a belief that that was our intended point of embarkation. The *ruse* took admirably well. Both friend and foe were deceived. The regular and militia force stationed at both points on the American shore were hastily called out, and kept under arms for hours to intercept us. Her Majesty's troops were marched to the neighbourhood of Fort George and Fort Erie, to prevent our landing there; and then my real point of intended attack—Chippewa—was uncovered, except by perhaps 150 or 200 men left behind to keep up their harmless roar of artillery. The intention was—and every man on the island was ready and eager for the fray—to have been towed by a steamer in our flats and yawl-boats across the river above that artillery—to have forced a march over it down to St. George—to have beaten the detachment of the enemy's army there, and to have taken passage in the British government steamer lying there that night for Toronto, and, &c. But the men would not hazard the passage of the Niagara without the tow of the steamboat; and although we had the promise of one,—although we stood under arms from sunset to midnight waiting for one;—and although I had dispatched three different messages in due season to the proper sources, begging it to be sent that night “for God's sake! or all is lost,”—it did not come. Why I have yet to learn. It is an act of equity, however, to say, I have the assurance of General Scott, that it was not owing to him.

At this trying crisis, where was William Lyon Mackenzie? He left the island when the bombardment and cannonading was commenced against us in real earnestness, and in spite of my remonstrances and entreaties to the contrary, he pushed off for Buffalo, where he remained safely ensconced in the house of a friend. On my arrival at that city, after the evacuation, I understood he had been extremely abusive towards everything American on the occasion of his arrest by the United States marshal, and that he had disgusted all his benefactors in that quarter by his violent language. My knowledge of his disposition induced me to believe this most readily. I knew he had previously made some of the most efficient, active, and influential Canadian reformers lukewarm, if not opposed to the cause, by a similar course; and my contempt for the impolitic ingrate knew no bounds when he again showed himself among the members of the

It is, however, a small spot, of about a mile and a half in length and half a mile in breadth, and is easily accessible in boats, either from the Canadian or the American shores, the channel being very wide on the latter, and not more than five or six hundred yards on the former, where is the village of Chippewa, celebrated as the scene of several warlike operations, during the war of 1812, 1813, and 1814. At this village is the mouth of the Welland River, one of the great arteries of the internal navigation by canal.

The scene at this spot is singular and grand. The St. Lawrence, or Niagara as it is here called, after leaving Navy Island, spreads itself out into an enormous sheet of water, near a mile and a half in width, just above the great leap which it is swiftly, but almost imperceptibly, preparing to take, in order to throw its huge volume of waters into the seething gulf of the Falls.

From Chippewa there is a ferry across to a place called Fort Schlosser, which, however, is merely a tavern-stand and ferry-house in the United States, about the same distance above the Falls as Chippewa; and steamers ascend and descend the river as far as the mouth of the Welland, about one mile and a half above

Executive Committee, whom I had called together to consult upon further measures,—and attempted to direct my military operations. The most of my men, at the time, were quartered some two or three miles west of Buffalo, under orders to march westward, until boats could be procured for their conveyance; but he, in the plenitude of his wisdom, insisted that the order should be countermanded,—that the men should return in battle array, charge upon the State and the State forces, seize the boats required to carry them, the *materiel*, &c., to the Canadian shore, and to embark from the city."

the caldron of Niagara, and within three quarters of a mile of the swiftest waters of the rapids.

The mouth of the Welland is canalized and embanked, so that once in it, a boat or a vessel is perfectly safe ; nor do accidents happen often from their being caught by the descending current, which is moderate, until the slope of the substrata or bed of the mighty river becomes so inclined as to cause a succession of heavy rapids.

The fall of the water from Lake Erie, just beyond the British village of Waterloo, in twenty-three miles to the first rapid, has been calculated at only fifteen feet, so that the velocity of the water in the strait of the Niagara may easily be inferred. After reaching the inclined plane which forms the rapids, the water falls, in half a mile, fifty-one feet, and then avalanches over, if I may use the term, into the cauldron below, 162 feet at one pitch ; and, after forming a scene which words and painting have ever failed to describe, it rushes, frets, foams, whirls, and plunges in a series of mysterious strugglings and throes, through an inapproachable, gloomy, rifted, and precipitous channel, until, after seven miles of incessant battlings, it joins another strait of the Niagara river at Queenstown, having descended 104 feet more, and then silently wends its way, in a magnificent stream, through a fairy scene of cultivation and woodland banks, reminding every Englishman of home, to Lake Ontario, having fallen two feet more in six miles.

Thus the total fall of the Niagara from Lake Erie, at Waterloo, or Fort Erie, to Fort Mississagua, in the

town of Niagara, on the borders of Lake Ontario, may be said, in round numbers, to be three hundred and thirty-four feet in thirty-six and a half miles.*

Situated at the head of this fearful navigation, Mackenzie chose Navy Island as the *dépôt* from which he was to centre the conquest of Canada. He thought himself secure on this dangerously isolated spot, because he well knew that there were no British steam-boats to waft troops over, and because he also knew he could avail himself of two American steamers, which had been only just preparing to lay up for the winter; and that season proving, as we before observed, unusually mild, enabled these piratical vessels to earn a few dollars in the attempt to carry fire and sword into a country at peace with their owners.

There must have been a better military calculator than either Mackenzie or Van Rensselaer in the camp; for at least there was a good show, and the semblance of a central blockhouse, and several batteries on Navy Island, deceived even the best telescopic judges.

An extract from a Buffalo paper of the 22nd January, 1838, will afford a true character of the celebrated Rensselaer van Rensselaer, Generalissimo of the patriot forces under William Lyon Mackenzie, written of course after all the sympathising schemes had failed.†

* The Welland canal between Erie and Ontario, according to the recent Report of Lieutenant-colonel Phillpotts, of the Royal Engineers, has 328½ feet lockage in 28 miles: according to the American Commissioners the difference of level between Lake Erie and Lake Ontario is 333 feet.

† THE HEROES OF NAVY ISLAND.

Buffalo, 22nd January, 1838.

My dear Sir,—Since my last communication I have had the honour

The island was, however, very formidable in appearance; for covered as it was with wood, it was impossible for Colonel M'Nab to ascertain its strength. In the highest part of the centre trees had been cut down, and boughs put up, in the semblance of a strong block-house, and on various parts of the banks pseudo batteries were erected, in which altogether thirteen pieces of ordnance, mounted upon all sorts of temporary carriages, had been erected, whilst the main camp of huts was on the safe side, next to the United States frontier; and Grand Island, a large island ten miles long, belonging to the States, which was only separated from Navy Island by a very narrow channel, contained an army of sympathisers, and the general hospital and place of refuge.

From this Island, the reconnoitring parties sent by

of an interview with two of the greatest men of their day, or, indeed, of any day since the era of "Tom Thumb" and "Jack the Giant-killer;" you will at once perceive that the distinguished personages in question are no less than the Honourable William L. Mackenzie, Chairman *pro tem.* of the State of Upper Canada, and the redoubtable hero and general, Rensselaer Van Rensselaer, or, as he is now more generally styled, Rip Van Winkle the Second.

Of the first you already know enough to render it unnecessary for me to say more than that he is now the most unpopular man in Buffalo, and he knows it; and as there is nothing too remarkable for occurrence in this wonderful world, I should not be surprised to learn that in this revulsion of popular feeling, some of our calculating (we have more calculating than patriotic) citizens have taken the opportunity to spirit the little mischief-maker back to your shores.

Van Rensselaer is a gin-sling, sottish-looking genius of twenty-seven, but apparently much older from disease and dissipation. He is in a very destitute condition, and complains loudly of the conduct of his worthy colleague, the Chairman, who told him when he first took command, that in ten days they would have 3,000 brave Canadians on Navy Island, when it turned out, after a month's residence on that dreary spot, that only nine Canadians joined them, and they

M'Nab, in such boats as he could get, were always fired upon, notwithstanding that it was asserted that strong parties of the United States Militia were upon duty there to maintain neutrality. Two thousand Canadian militia rushed to Chippewa, and placed themselves upon its celebrated battle-ground, and M'Nab then threw up entrenchments to protect his troops from the desultory cannonade to which they were exposed on a level and continuous frontier.

The Commander-in-chief, Sir John Colborne, after this fuss of battle and siege had lasted several days, thought it high time to interfere, and detached a Major of Artillery from Kingston with a Captain of Engineers, and an adequate supply of guns, mortars, Congreve-rockets, and stores.

The best narrative of this event which I have seen is that of Sir Francis Head, which, as it is not published in his book (and he, *ci-devant* officer of engineers, has viewed the whole transaction calmly and with a military eye), I shall here give; for I think nothing can afford a better development of such extraordinary occurrences than to let the actors speak for themselves, particularly when a state question, like that of the burning of the *Caroline*, which ended this strange eventful history, is concerned.*

were worthless wretches, that had fled from justice or their creditors. He gave me their names, such as Tim Parsons, Mantach, Baxter, Gorham, Doyle, Defield, &c., &c. The others, about 600 in all, were the worst population of our frontier, ready to cut any man's throat for a dollar. Such were the men our citizens dubbed *patriots*, and sent to disseminate the principles of true liberty amongst you Canadians! *O tempora—O mores!*

* Copy of a Despatch, from His Excellency Sir Francis B. Head,

With respect to the *Caroline*, I have just to observe that an officer of the Army, who was present and is

Bart., Lieutenant-governor of Upper Canada, to His Excellency Henry S. Fox, Her Majesty's Minister at Washington.

Toronto, Upper Canada, 8th January, 1838.

Sir,—I have the honour to inclose you the copy of a special message, sent by His Excellency Governor Marcy to the Legislature of the State of New York, in relation to a matter on which your Excellency will desire the earliest and most authentic information. The message only reached this place yesterday, and I lose no time in communicating with your Excellency on the subject.

The Governor of the State of New York complains of the cutting out and burning of the steam-boat *Caroline*, by order of Colonel M'Nab, commanding Her Majesty's Forces at Chippewa, in the Province of Upper Canada, and of the destruction of the lives of some American citizens, who were on board of the boat at the time she was attacked. The act complained of was done under the following circumstances :—

In Upper Canada, which contains a population of about 450,000 souls, the most perfect tranquillity prevailed up to the 4th day of December last, although in the adjoining Province of Lower Canada, many of the French Canadian inhabitants had been in open rebellion against the Government for about a month preceding.

At no time since the treaty of peace with the United States, in 1815, had Upper Canada been more undisturbed. The real causes of the insurrection in Lower Canada, namely, the national antipathy of the French inhabitants, did not in any degree apply in the Upper Province, whose population, like the British and American inhabitants of Lower Canada, were wholly opposed to the revolt, and anxious to render every service in their power in support of the Queen's authority. It had been reported to the Government, some time before the 4th of December, that in a remote portion of the Home District, a number of persons occasionally met and drilled, with arms, under leaders known to be disaffected, but it was not believed by the Government that anything more could be intended than to make a show of threatened revolt, in order to create a diversion in favour of the rebels in Lower Canada. The feeling of loyalty throughout this Province was known to be so prevalent and decided, that it was not thought unsafe to forbear, for the time at least, to take any notice of the proceedings of this party.

now by my side, has told me that the orders were to meet her on the river as she was plying between

On the night of the 4th December, the inhabitants of the city of Toronto were alarmed by the intelligence that about five hundred persons, armed with rifles, were approaching the city—that they had murdered in the highway a gentleman of great respectability, and had made several persons prisoners. The inhabitants rushed immediately to arms—there were no soldiers in the Province, and no militia had been called out. The home district, from which this party of armed men came, contains 60,000 inhabitants—the city of Toronto 10,000. In a few hours a respectable force, although undisciplined, was collected and armed in self-defence, and awaited the threatened attack. It seems now to admit of no doubt, that if they had at once advanced against the insurgents, they would have met with no formidable resistance, but it was thought more prudent to wait until a sufficient force should be collected, to put the success of an attack beyond question. In the meantime, people poured in from all quarters to oppose the insurgents, who obtained no increase of numbers, but on the contrary, were deserted by many of their body, in consequence of the acts of devastation and plunder into which their leader had forced them.

On the 7th of December, an overwhelming force of militia went against them, and dispersed them without losing a man—taking many prisoners, who were instantly released by my order, and suffered to depart to their homes. The rest, with their leaders, fled—some have since surrendered themselves to justice—many have been taken, and some have escaped from the province.

It was reported about this time, that in the district of London a similar disposition to rise had been observed, and in consequence, a militia force of about 400 men was sent into that district, where it was speedily joined by three times as many of the inhabitants of the district, who assembled voluntarily and came to their aid with the greatest alacrity. It was discovered that about three hundred persons, under Doctor Duncombe, an American by birth, were assembled with arms; but before the militia could reach them, they dispersed themselves and fled—of these, by far the greater number came in immediately and submitted themselves to the Government, declaring that they had been misled and deceived, and praying for forgiveness.

In about a week perfect tranquillity was restored, and from that moment not a man has been seen in arms against the Government in any part of the province, with the exception of the hostile aggression

Schlosser and Navy Island, board her whilst under weigh, and capture and destroy her. After rowing

upon Navy Island, which I shall presently notice; nor has there been the slightest resistance offered to the execution of a legal process, in a single instance.

After the dispersion of the armed insurgents, near Toronto, Mr. Mackenzie, their leader, escaped in disguise to the Niagara river, and crossed over to Buffalo. Reports had been spread there, and elsewhere along the American frontier, that Toronto had been burnt, and that the rebels were completely successful: but the falsehood of these absurd rumours was well-known before Mackenzie arrived on the American side. It was known also that the ridiculous attempt of four hundred men to revolutionize a country containing nearly half a million of inhabitants, had been put down by the people instantly and decidedly, without the loss of a man.

Nevertheless, a number of American citizens in Buffalo, and other towns on the frontier of the State of New York, enlisted as soldiers, with the avowed object of invading Canada, and establishing a Provisional Government. Public meetings were held to forward this design of invading a country with which the United States were at peace. Volunteers were called for; and arms, ammunition, and provisions, were supplied by contributions openly made. All this was in direct and flagrant violation to the express laws of the United States, as well as of the Law of Nations.

The civil authority of Buffalo offered some slight show of resistance to the movement, being urged to interpose by many of the most respectable citizens, but no real impediment was offered; and on the 13th of December, some hundred of the citizens of the State of New York, as an armed body, under the command of a Mr. Van Rensselaer, an American citizen, openly invaded and took possession of Navy Island, a part of Upper Canada, situate in the River Niagara. Not believing that such an outrage would really be committed, no force whatever was assembled at the time to counteract this hostile movement.

In a very short time this lawless band obtained from some of the arsenals of the State of New York, clandestinely as it is said, several pieces of artillery and other arms, which in broad daylight were openly transported to Navy Island, without resistance from the American authorities. The people of Buffalo and the adjacent country continued to supply them with stores of various kinds, and additional men enlisted in their ranks. In a few days their force was variously stated from five to fifteen hundred, of whom a small proportion were

about a long while in the dark, they saw her fires from the chimney near the American shore, and gallantly

rebels, who had fled from Upper Canada. They began to entrench themselves, and threatened that they would, in a short time, make a landing on the Canadian side of the Niagara River.

To prevent this and keep them in check, a body of Militia was hastily collected and stationed on the frontier, under the command of Colonel Cameron, Assistant-adjutant-general of Militia, who was succeeded in this command by Colonel M'Nab, the Speaker of the House of Assembly, an officer whose humanity and discretion, as well as his activity, have been proved by his conduct in putting down the insurrection in the London district; and have been acknowledged in warm terms of gratitude by the misguided persons who have surrendered themselves into his hands. He received orders to act on the defensive only, and to be careful not to do any act which the American Government could justly complain of as a breach of neutrality.

An official statement of the unfriendly proceedings at Buffalo was without delay (on the 13th of December) made by me to His Excellency the Governor of the State of New York, and after this open invasion of our territory, and when it became evident that nothing was effected at Buffalo for preventing the violation of neutrality, a special Messenger was sent to your Excellency at Washington, to urge your interposition in the matter. Sufficient time has not yet elapsed to admit of his return. Soon after his departure, this band of outlaws on Navy Island—acting in defiance of the laws and government of both countries—opened a fire from several pieces of ordnance upon the Canadian shore, which in this part is thickly settled: the distance from the Island being about 600 yards, and within sight of the populous village of Chippewa. They put several balls (six pound shot) through a house, in which a party of Militia-men were quartered, and which is the dwelling-house of Captain Ussher, a respectable inhabitant. They killed a horse on which a man at the time was riding, but happily did no further mischief, though they fired also repeatedly with cannon and musketry upon our boats. They continued daily to render their position more formidable; receiving constant supplies of men and warlike stores from the State of New York, which were chiefly embarked at a landing-place on the American mainshore, called Fort Schlosser, nearly opposite to Navy Island. This place was once, I believe, a military position before the conquest of Canada from the French; but there is now neither fort nor village there, but merely a single house, occupied as a tavern,

made up to her. It was fortunate for them she was not actually under weigh ; for if they had boarded her

and a wharf in front of it, to which boats and vessels are moored. The tavern had been, during these lawless proceedings, a rendezvous for the band, who cannot be called by any name more appropriate than pirates ; and was, in fact, openly and notoriously resorted to as their head-quarters on the mainland, and is to this time. On the 28th December, positive information was given to Colonel M'Nab, by persons from Buffalo, that a small steamboat, called the *Caroline*, of about fifty tons burthen, had been hired by the "Patriots," and was to be employed in carrying down cannon and other stores, and in transporting men and anything else that might be required between Fort Schlosser and Navy Island.

He resolved, if she came down and engaged in this service, to take or destroy her. She did come down, agreeably to the information he received. She transported a piece of artillery and other stores to the Island, and made repeated passages during the day between the Island and the main shore. In the night he sent a party of Militia in boats with orders to take or destroy her. They proceeded to execute the order. They found the *Caroline* moored to the wharf, opposite to the inn, at Fort Schlosser. In the inn there was a body of armed men to protect her, part of the pirate force, or acting in their support. On her deck there was an armed party, and a sentinel who demanded the countersign. Thus identified as she was with the force, which, in defiance of the law of nations and every principle of natural justice, had invaded Upper Canada, and made war upon its unoffending inhabitants, she was boarded, and after a resistance, in which some desperate wounds were inflicted upon the assailants, she was carried.

If any peaceable citizens of the United States perished in the conflict, it was and is unknown to the captors ; and it was and is unknown to them whether any such were there. Before this vessel was thus taken, not a gun had been fired by the force under the orders of Colonel M'Nab, even upon this gang of pirates, much less upon any peaceable inhabitants of the United States. It must, therefore, have been a consciousness of the guilty service she was engaged in that led those who were employing her to think an armed force necessary for her defence. Peaceable citizens of the United States were not likely to be found in a vessel so employed at such a place and in such a juncture : and if they were there, their presence, especially unknown to the captors, could not prevent, in law or reason, this necessary act of self-defence. Fifteen days had elapsed since the invasion of Upper Canada by a force enlisted, armed, and equipped openly in the state

whilst moving so near the Falls, in the hurry of the action the engines would have been neglected or

of New York. The country where this outrage upon the law of nations was committed, is populous. Buffalo alone contains 15,000 inhabitants. The public authorities, it is true, gave no countenance to these flagrant acts, but they did not prevent them, or in the slightest degree obstruct them, farther than by issuing proclamations, which were disregarded. Perhaps they could not; but in either case the insult and injury to the inhabitants of Canada were the same, and their right to defend themselves equally unquestionable.

No wanton injury was committed by the party who gallantly effected this service. They loosed the vessel from the wharf, and finding they could not tow her against the rapid current of the Niagara, they abandoned the effort to secure her, set her on fire, and let her drift down the stream.

The prisoners taken were a man who, it will be seen by the documents accompanying this dispatch, avowed himself to be a subject of Her Majesty, inhabiting Upper Canada, who had lately been traitorously in arms in that province, and having fled to the United States, was then on board for the purpose of going to the camp at Navy Island, and a boy, who being born in Lower Canada, was probably residing in the United States, and who, being afraid to land from the boat in consequence of the firing kept up by the guard on the shore, was placed in one of the boats under Captain Drew, and taken over to our side, from whence he was sent home the next day by the Falls Ferry, with money given him to bear his expenses.

I send with this letter,—1st. A copy of my first communication to His Excellency Governor Marcy, to which no reply has reached me.

2nd. The official reports, correspondence, and Militia general order respecting the destruction of the *Caroline*, with other documents.

3rd. The correspondence between Commissary-general Arcularius, of the State of New York, respecting the Artillery belonging to the Government of the State of New York, which has been, and is still used in making war upon this province.

4th. Other correspondence arising out of the state of things on the Niagara frontier.

5th. The special message of Governor Marcy.

It will be seen from these documents, that a high officer of the Government of the State of New York has been sent by His Excellency the Governor, for the express purpose of regaining possession of the Artillery of that State, which is now employed in hostile aggressions upon this portion of Her Majesty's dominions, and that being

injured, and all would have gone down the cataract together.

As the strongest proof that can be brought as to the fallacy which has been urged in the House of Commons

aided and favoured as he acknowledges by the most friendly co-operation which the Commanding-officer of Her Majesty's forces could give him, he has been successfully defied by this army of American citizens, and has abandoned the object of his mission in despair.

It can hardly fail to be also observed by Your Excellency, that in the course of this negotiation between Mr. Van Rensselaer and the Commissary-general of the State of New York, this individual, Mr. Van Rensselaer, has not hesitated to place himself within the immediate jurisdiction of the Government whose laws he had violated, and in direct personal communication with the officer of that Government, and has, nevertheless, been allowed to return unmolested, to continue in command of American citizens engaged in open hostilities against Great Britain.

The exact position then of affairs on our frontier may be thus described :

An army of American citizens joined to a very few traitors from Upper Canada, and under the command of a subject of the United States, has been raised and equipped in the State of New York, against the laws of the United States and the treaties now subsisting, and are using artillery plundered from the arsenals of the State of New York, in carrying on this piratical warfare against a friendly country.

The officers and Government of the United States, and of the State of New York, have attempted to arrest these proceedings, and to control their citizens, but they have failed. Although this piratical assemblage are thus defying the civil authorities of both countries, Upper Canada alone is the object of their hostilities. The Government of the United States has failed to enforce its authority by any means, civil or military, and the single question—if it be a question—is, whether Upper Canada was bound to refrain from necessary acts of self-defence against a people whom their own Government either could not or would not control.

In perusing the message of His Excellency Governor Marcy to the Legislature of the State of New York, your Excellency will probably feel some degree of surprise, that after three weeks' continued hostility carried on by the citizens of New York against the people of Upper Canada, His Excellency seems to have considered himself not

and elsewhere, that it was only the disaffected Canadians who composed the invading force on Navy Island, and that the people of the United States were at least neutral, we may quote from public records the following despatch of the United States' Marshal to the President:

"Buffalo, December 28th, 1837.

" TO HIS EXCELLENCY M. VAN BUREN.

" SIR,—This frontier is in a state of commotion. I came to this city on the 22nd instant, by direction of the United States Attorney for the Northern district of this State, for the purpose of serving process upon individuals suspected of violating the laws of the United States, enacted with a view to maintain our neutrality. I learned on my arrival that some 200 or 300 men, mostly from the district of country adjoining this frontier and from this side of the Niagara, had congregated upon Navy Island, Upper Canada, and were then in arms, with Rensselaer Van Rensselaer, of Albany, as their Commander-in-chief. From that time to the present they have received constant accessions of men, munitions, provisions, &c., from persons residing within the States. Their whole force is now about 1,000 strong, and, as is said, are well supplied with arms, &c. Warrants have been issued, in some cases,

called upon to make this aggression the subject of remark for any other purpose than to complain of a solitary act of self-defence on the part of Her Majesty's Province of Upper Canada, to which such unprovoked hostilities have unavoidably led.

I have, &c.,

(Signed)

F. B. HEAD.

His Excellency HENRY S. FOX,

Her Majesty's Minister, Washington.

(A true Copy.)

J. JOSEPH.

but no arrests have as yet been made. This expedition was got up in this city, soon after Mackenzie's arrival upon this side of the river ; and the first company that landed upon the island was organized, partially at least, before they crossed from this side to the island.

" From all that I can see and learn, I am satisfied, that if the Government deems it their duty to prevent supplies being furnished from this side to the Army on the island, and also the augmentation of their forces from among the citizens of the States, an armed force, stationed along the line of the Niagara, will be absolutely necessary to its accomplishment.

" I have just received a communication from Colonel M'Nab, commanding Her Majesty's forces now at Chippeway, in which he strongly urges the public authorities here to prevent supplies being furnished to the army on the island ; at the same time stating that, ' if this can be effected, the whole affair could be closed without effusion of blood.'

" M'Nab is about 2,500 strong, and constantly increasing. I replied to him that I should communicate with you immediately, as also with the Governor of this State, and that everything which could would be done to maintain a strict neutrality.

" I learn that persons here are engaged in dislodging one or more steamboats from the ice, and, as is supposed, with a view to aid in the Patriot expedition.

" I am, with great consideration,

" Your obedient Servant,

" N. GARROW,

" United States' Marshal, Northern District
of New York."

Colonel M'Nab confined himself, after he took the command from Lieutenant-colonel Cameron—an able and retired officer of the 79th Regiment, who had at first been appointed to it—to mere precautionary measures, without firing upon the island. This state of things lasted until the 28th of December, when Captain Drew, of the Royal Navy, was ordered by him to destroy the pirate steamboat *Caroline*, which he gallantly effected as she lay moored to the wharf at Schlosser, and sent her blazing down the Falls; a fitting fate for a vessel eagerly employed in the invasion of a territory at peace with the nation it belonged to. Van Rensselaer and his vagabond crew might, with impunity, invade Canada, might kill the peaceable inhabitants, and commit any sort of horrors under the Medusan shield of patriotism; but Great Britain must be silent. Not so the United States; a pirate vessel is cut out from a ferry wharf, which is magnified into a fort, and destroyed, after she had landed guns and men and ammunition and provisions for a self-constituted army of real invaders, and the whole nation is up in the extremity of sensitiveness at this outrage on national rights. It remained a question on which peace or war between the most mighty empire in the world, and a new one just started into immense importance, hung upon a mere thread for five years.

A person named M'Leod, who had been Deputy-sheriff of the Niagara district, and who had no more to do with the burning of the *Caroline* than the reader who was in England at the time, was forcibly arrested, tried for his life by a Court which

had no jurisdiction in his case, and very narrowly escaped hanging.

The affair of the *Caroline*, magnified ten millions of times, and distorted in every possible way, was at length settled in 1842, by Lord Ashburton, having been cleverly included amongst other grievances; but if Colonel M'Nab (who ordered the vessel to be destroyed), Captain Drew of the Royal Navy, Lieutenant Elmsley, and Mr. M'Cormack, or any of the brave men who so distinguished themselves in the gallant action, by cutting her out during a dark night, with a swift current which must, if any accident had occurred to their small tow-boats, have hurled them to the gulf of the caldron, were, at any period of excitement, to show themselves upon the territory of the Lake border of New York, it was until very lately questionable whether a new M'Leod case might not arise, or whether that Lynch law would not settle the outstanding account.

The most melancholy result on the part of the Canadian Militia of this winter siege of Navy Island, was in the death of a fine young man, Mr. Smith of Hamilton, who was lying in a barn on some hay when a red-hot shot from the island struck him, carrying away the upper part of his thigh and some of his ribs. A man serving our guns, under the direction of Captain Luard, also lost his leg by a cannon ball.* In short, the brigands kept up a desultory cannonade, chiefly against the houses near Chippewa, until the Royal Artillery, under Major Cameron, made its

* This fine fellow, whose name was Millar, died after he had his leg cut off. He desired to see it, gave three cheers for the Queen, and after a few hours expired. He had been in the Navy.

appearance, when a 24-pounder was mounted on a scow and taken up the river, and battered the point where the guns of Van Rensselaer had been most active.

Two days before the evacuation, on the 12th of January, after the 24th Regiment had made their appearance, Captain Glasgow, of the Royal Artillery, kept up a brisk cannonade of 283 rounds from heavy guns and mortars, and on the 13th he fired 130 more. Three schooners were also armed and fitted out, which effectually kept the brigands within their breastworks.

A gentleman, with the euphonious name of Colonel Ironayre,* who had a charge of foot in the Regular Militia of the New York State, figures in the correspondence of this time. He displayed the American flag on Grand Island, just opposite, and close to Mackenzie's camp. One Seth Conklin, whose name is equally remarkable, deposed that this *Curnel's* party of the military of the State of New York made him prisoner when he quitted the patriots on Navy Island. His deposition is so curious, and so completely like many others of the same nature which I noticed in those eventful days, that I have extracted it from a mass of papers. It is of interest, as it corroborates the statement of Lieutenant Elmsley, of the Royal Navy, who had been repeatedly fired upon by people on Grand Island, where this colonel held command, whilst in the execution of his duty in boat actions, or in reconnoitring Navy Island.

I prefer, at the risk of being attacked for using the

* Shakspeare's far-fetched Latin in "*Cymbeline*," about *Mollis Aer*, comes into one's mind as the reverse of this cognomen and prenomem.

scissors and paste system, to place this highly interesting document in the body of the Narrative, instead of in an Appendix; for, excepting very literary or very political readers, few people trouble appendices in a book read *pour passer le temps*. Besides, in so national an affair as that of the *Caroline*, the British readers who have not seen, generally, the State Papers in which these depositions and correspondence are contained, cannot be too well informed.

DISTRICT OF NIAGARA, TO WIT:

"Seth Conklin, late of Syracuse, in the state of New York, but now of Chippewa, in the Province of Upper Canada, miller, deposeth upon oath, and saith, that he went to Navy Island on Sunday, the 7th of January, instant; that he left the island on the following morning; that he was taken up by a party of the military of the State of New York, stationed on Grand Island; that he was accused by said militia of being a spy on Navy Island, when a sergeant of said Militia held a pistol to deponent's breast and threatened to shoot him, and at the same time five or six of his men seized deponent and dragged him to a boat, in which they attempted to put him, for the purpose of taking him over to the patriots upon Navy Island; that at the earnest entreaty of deponent, he was taken back to the Commanding Officer on Grand Island, Colonel Ayer, by whom he was questioned as to where he had been, and why he had been at the island; that Colonel Ayer then ordered him to be searched, upon which he claimed protection of Colonel Ayer, as an American citizen; and Colonel Ayer said he should be protected, and gave him in charge of a sergeant, who kept him a prisoner till after dark; that Major Chase, of the Navy Island Patriots, then came from the island, to sup with the United States Militia; a tall man, with a dark complexion, told deponent that he must return to the island; that deponent again claimed from this officer protection, as an American citizen, but that he replied, "You shall go immediately; and if you hesitate we will force you." He said further, that if deponent remained on Grand Island, he would be shot, and that if any disturbance occurred concerning him, he, the Colonel, would shoot him with his own hand. That when Major Chase, of the Navy Island Patriots, demanded deponent, the last-mentioned Colonel said that he might take him; that deponent again claimed protection as an American

citizen, when Major Chase said, if deponent was allowed to remain on Grand Island, he would escape and inform the British of the state of Navy Island; that upon this, fifteen or twenty of the United States Militia declared that deponent should go, but that the sergeant who had him in charge wished, to satisfy General Van Rensselaer, he might be sent to Buffalo gaol, to which deponent consented; that the rest of the Militia insisted upon his going to Navy Island, and that he entreated of them not to send him there, alleging that he would certainly be shot before he got there; that the sergeant then proposed for him to choose three men of the guard to accompany him. Deponent fearing that he should be murdered before he got there, did choose three men to accompany him; and he was taken by five Militia-men,—namely, a sergeant and four men of the United States Militia, in company with Major Chase,—and delivered by them at General Van Rensselaer's quarters, in charge of Major Chase. Major Chase told the sentries at the head of the Island, to allow the boat which brought over deponent to pass, as it was a friendly boat. That deponent remained a prisoner upon Navy Island, until the Patriots evacuated it, during which time he was kept in close confinement, in a house on the south front of the Island, which was open to the fire of the British guns; and that three of their shots passed through the house whilst he was confined there.

SETH CONKLIN.

Sworn before me at Chippewa, this 18th day of January, 1838,
SAMUEL STREET, J. P.

Another American citizen, of the name of James Wood, of the city of Buffalo, in the State of New York, deposed also that he saw the *Caroline* cut out of the ice, and that it was no secret that she was destined to supply Mackenzie on Navy Island; and whilst not less than a thousand volunteers assisted in freeing her from her frozen dock, and in loading her with muskets, swords, and flour; that he asked her master, one Appleby, where she was going, who told him westward to Dunkirk, which is forty-five miles above Buffalo, on Lake Erie, but that Wood said, "You mean eastward to Navy Island?" The skipper smiled, but made no reply; but Wood had heard it repeatedly said, by

many rich men in the city, that if the Patriots *would* fight, they would *find* (American expression for providing food, &c.,) them.

As soon as the schooners and gun-boats, under Captain Drew, were manned and armed, they began cruising about the river, to intercept these supplies: and as one-half of that river, in its deepest channel, is by treaty the property of the United States,—although that treaty recognizes the right of both nations to its free navigation,—the Americans began to think that the air and the water might both be outraged by British shot and shells flying through the one or sinking into the other; and a most singular forgetfulness appears to have come over them respecting the shot of the Patriots having actually passed only through British atmosphere and into British water from Navy Island and from the United States territory and military posts on Grand Island. In short, the patriots and American Militia were free to fire upon the subjects of a power at peace with the United States, and which power had just most magnanimously preserved the Republic from a fierce and bloody war with France.

General Winfield Scott, who commanded on the United States frontier, is one of the most accomplished and the best known of the American military commanders; and there can be little doubt that when it became seriously necessary for the Cabinet of Washington to act, and that his hands were unfettered, he did indeed act, as he afterwards acted respecting the Boundary question; that is to say, he fully exerted his energies and talent to prevent his nation being embroiled with Great Britain.

He is much respected by every British officer who has made his acquaintance, or who knew him when he first displayed his military talents on the Niagara frontier in the last American war.

His correspondence with Colonel M'Nab and Captain Drew, on the occasion about which we are engaging the attention of the reader, is singular enough and worth preserving. He was in fact, placed, as the Americans say, in a very "awkward fix," for the supreme majesty of the border people kept him in check on the one hand and his own real masters, the Cabinet, had not declared peace or war on the other.

General Scott is a highly educated gentleman, and a soldier who has seen much of foreigners, and yet the language of his diplomacy is shrouded in words purely Americanisms, which disfigure the English acceptation of those words in a strange manner, and evince a national desire to adapt the most correct language of modern times to a new and by no means an improved standard; as we also observe in some of the best American novelists, who introduce such outrageously un-English words, as *sparse*, *quite a quantity*, *our waters*, day before yesterday instead of *the day*, &c. into their best writings; an affectation of nationalism which scratches poor Priscian's head sadly, and disfigures the noble stock which satisfied the master-minds of Milton and of Shakspeare, whose dictionaries will afford a living and flourishing tree, when Webster and his grafts shall be remembered only to be again forgotten.

Our readers will at once perceive the singular situ-

ation in which General Scott was placed, and the uncertainty whether the will of the people would not have hurried his Government into an unnecessary renewal of the attempt to conquer Canada :

To the Commanding-officer of the Armed British Vessels in the
Niagara.

*Head-quarters, United States Army,
Eastern Division, 2 miles below Black Rock,
January 15, 1838.*

Sir,—With His Excellency the Governor of New York, who has troops at hand, we are here to enforce the neutrality of the United States, and to protect our own soil and waters from violation.

The proper civil officers are also present, to arrest, if practicable, the leaders of the expedition on foot against Upper Canada.

Under these circumstances, it gives me pain to see the armed vessels mentioned anchored in our waters, with the probable intention to fire upon that expedition moving within the same waters. Unless that expedition shall first attack, in which case we shall interfere, we shall be obliged to consider a discharge of shot or shells from or into our waters, from the armed schooners of Her Majesty, as an act seriously compromising the neutrality of the two nations. I hope, therefore, that no such unpleasant incident may occur.

I am, Sir, respectfully, your most obedient,

WINFIELD SCOTT.

The manly, concise, energetic, and officer-like reply of Captain Drew, will be read with admiration :

Head-quarters, Chippewa, January 16, 1838.

Sir,—I have had the honour to receive your letter of the 15th instant, in which you state "it gives you pain to perceive the armed vessels of Her Majesty anchored in your waters, with the probable intention to fire upon that expedition moving within the same waters."

The object I have in view is to prevent the rebels who have lately been in arms against Her Britannic Majesty upon Navy Island, and who have now taken shelter upon Grand Island, a territory of the United States, from effecting a landing in any part of the province of Upper Canada ; and for this purpose I have made such a disposition of the force under my command as will most effectually perform that service.

With reference to the vessels of Her Majesty being anchored in

your waters, I have always understood, that so long as Great Britain and the United States were at peace and amity, that the right of the full navigation of the River Niagara belonged to each power; and if I have suffered an infringement upon any International law, I beg you will do me the favour to refer me to it.

I have the honour to be, Sir, your most obedient humble Servant,

ANDREW DREW,

Commander in the Royal Navy, Commanding
Naval Brigade.

To General Scott, &c. Commanding the Forces of the United States, &c.

Then follows Colonel M'Nab's notice of the above, which is somewhat lengthy, to use another Americanism, but highly to the purpose.

Head-quarters, Chippewa, January 18, 1838.

Sir,—The correspondence which has taken place between you and Captain Drew of the Royal Navy, during my short absence from this frontier, where I have the honour of commanding Her Majesty's Naval and Militia Forces, having been laid before me by that officer, I beg to offer a few observations upon it.

You state that you, with His Excellency the Governor of New York, are near Black Rock, with troops at hand, to enforce the neutrality of the United States, and to protect your own soil and waters from violation—that the proper civil authorities are also present to arrest, "if practicable," the leaders of "the expedition" on foot against Upper Canada—that, under these circumstances, it gives you "pain" to perceive the armed vessels of Her Britannic Majesty anchored in your waters, with the probable intention to fire upon that "expedition" moving within the same waters—that unless that expedition shall first attack, in which case you will interfere, you will be obliged to consider a discharge of shot or shell "from or into" your waters, from the armed schooners of Her Majesty, as an act seriously compromising the neutrality of the two nations—that you hope, therefore, that no such unpleasant incident may occur.

With regard to your views of the right of the expedition referred to, to pass up the Niagara River, near your shore, unmolested by the forces under my command, I beg to enter my most decided protest. The waters of the Niagara River, for the purposes of navigation, are, as Captain Drew has very properly said, common to the inhabitants of Great Britain and the United States, so long as these powers are at peace with each other; and that being the case, I cannot understand why the schooners under my command, and anchored in the river,

have not the right to capture and destroy any expedition on foot against Upper Canada, and moving upon the waters of that river, whether on the one side or the other, or exactly in the centre of the stream. My own opinion is that they have that right, and had it not been for an unfortunate misapprehension of the orders given by Captain Drew, to the officer in command of the schooners, that right would most assuredly have been exercised.

The second paragraph of your letter appears to me so much at variance with that neutrality which, in my humble opinion, should be observed upon the present occasion by officers of the United States, that I cannot refrain from making a remark or two upon it.

I cannot understand why it should give an officer of a neutral power "pain" to observe an intention on our part to punish the actors in an "expedition on foot" against this Province. It appears to me, that such an intention should rather give pleasure than pain to an officer situated as you are, who really desired to see the rebellion against the constituted authorities of Upper Canada put down; more particularly as the majority of the persons concerned in the hostile expedition were citizens of your own country, and were in fact in the situation of mere banditti.

I regret to observe an evident intention on the part of the United States officers stationed on the Niagara Frontier, to screen the guilty actors in this disgraceful outrage against the laws, as well of Great Britain as of the United States, otherwise we should not hear those authorities speak of the "practicability" of arresting the leaders of that expedition, when so completely in their power as those men are who lately occupied Navy Island.

I had, on the 11th instant, the honour to address Commissary-general Arcularius, or the officer in command of the United States Militia Forces, on the Niagara Frontier, upon the subject of an outrage committed by the Militia force of the United States, stationed upon Grand Island, on Lieutenant Elmsley, of the Royal Navy, and the boat's crew under his command, but I have not as yet received any answer to my communication upon this matter. I may now briefly state, that the outrage complained of was the firing upon Lieutenant Elmsley, by the Militia force alluded to, and directly under the American flag.

I trust that you will cause an investigation of this serious charge to be made—and I have the honour to request that the result of your inquiries into this matter may be communicated to me with as little delay as possible.

I beg also to refer you to the correspondence that took place on the 13th instant, between Colonel Iron Ayre, of 48th Regiment,

47th Brigade, New York Militia, in relation to certain complaints made by that officer to me ; in order that the same may be laid before the proper authorities in the United States for investigation—as I have no desire to conceal from the world any part of my conduct, whilst in command of Her Majesty's Forces upon this frontier.

I have the honour to be, Sir,

Your most obedient humble Servant,

ALLAN N. M'NAB.

Colonel Commanding Militia and Naval Forces, Niagara Frontier.

To Major-general Scott, United States, Army, &c.

An officer was sent to Buffalo with this letter, and his account of his reception is here given ; Lieutenant-colonel Donald Bethune appears to have fully understood that General Scott found himself in a predicament which required both policy and foresight to manage cleverly :

Head-quarters, Chippewa, Friday Night, January 19.

Sir,—I have the honour to report to you, that I proceeded to Buffalo with your despatch to General Scott, of the United States Army, where I had the honour of an interview with that officer this morning.

After General Scott had perused the despatch, he desired me to inform Colonel M'Nab, that at a convenient time he would answer his despatch in writing—that at present he could only do so verbally. General Scott then remarked, that it was evident that Colonel M'Nab was desirous of drawing him into a correspondence, for which he had no leisure at present, as his time was wholly occupied in endeavouring to preserve the neutrality of the United States during the existing disturbances on our frontier ;—that Colonel M'Nab might have leisure for maintaining such correspondence, but he (General Scott) had not ;—and that he *had* been so employed in maintaining the neutrality of the United States, two officers of the British Army then in the house (American Hotel) could testify.

I beg leave to remark, that General Scott appeared very much agitated on perusing your despatch, and while he made the above verbal communication.

I have the honour to be, Sir,

Your obedient humble Servant,

D. BETHUNE.

To Colonel the Hon. Allan N. M'Nab, Commanding Militia and Naval Forces, Niagara Frontier.

Captain Drew having settled the business in a more summary manner than in *violating* the American waters, by sending the pirate ship to perdition amidst the roar of Niagara's rapids, this patriotic storm in a washhand basin soon subsided, as far as Navy Island was concerned, and some Companies of the 24th Regiment having appeared on the theatre, it was thought high time to shift the scenery.

President Mackenzie, Generalissimo Rensselaer Van Rensselaer, *et hoc genus omne*, beat a retreat under cover of border sympathy, and retired into the United States, if not with "bag and baggage," at least, as Touchstone says, with "scrip and scrippage."

The island was immediately taken possession of by the 24th, and found in the state I shall now describe, from official military, and private military reports, letters, and conversations.

The Lieutenant-governor, Sir Francis Head, visited it on the 17th of January, and an officer of Engineers made a special representation of its condition. One person describes the solitariness and wretchedness of this forest-wilderness as truly oppressive, and the appearance of the trees in the situations exposed to the fire of the cannon, mortars, and rockets of the Canadian army,* as evincing the great destruction of life which must have occurred.

The vaunted blockhouse citadel, the barracks, and the formidable batteries, dwindled into huts made of branches of trees and sods, and to hasty and ill-constructed embankments. Two women were found

* Ably directed by an old Artillery-officer, Captain T. Luard.—
EDITOR.

on this Barataria, and they informed the British that Mackenzie's hospital, to which the wounded were always removed, was on the American territory, at Grand Island. Quantities of boots and shoes, and some stores, with plenty of fragments of American newspapers, were found in the hovels, and every appearance indicated the terrible visitation of the bursting shells, those most awful messengers of death.

The body of one man was exhumed by order of the Lieutenant-governor, in order to ascertain if it could be recognized. This unfortunate individual had fallen, however, under the merciless Lynch law of the Patriot mob, for his arms were pinioned and he had been shot by a rifle, probably suspected as a spy.

The border newspapers had invested Navy Island with the character of a second Gibraltar, as perfectly impregnable, and so much industry had actually been employed in cutting down trees and brushwood round the edge of the water, to form an abbatis to prevent boat invasion, and the batteries and hovels were so masked with wood, that it really looked formidable from Chippewa.

But, as one gentleman observed, "Such a bugbear never before existed in military parlance; and such a spectacle of 'looped and windowed' wretchedness and unutterable filth surely never existed before, as must have been displayed by the mob of sympathisers in their winter bivouacs, for the scene of dirt was absolutely sickening." The hovels termed barracks, were the most miserable beyond conception, that ever afforded shelter to even the most abandoned and degraded of the

human race ; and even so bad, that where these pseudo-patriots herded like sheep in a pen, no humane person would have constrained his swine to occupy, so open were they to the inclement air, and so filled with all the abominations that can be conceived.

Their clothing, which was of that of the lowest of the people, was found so insufficient, that the charity of the Buffalonians was drawn on for a supply, which proved inadequate ; and every bush was found eloquent as to the excess of misery they had endured, by the filthy rags with which they were encumbered.

Nor was their food better provided ; without money, credit, or means, the leaders had, by a promise of dollars and land, induced the lazzaroni of Buffalo to venture on Navy Island, with the assurance, that a few hours would find them masters of the fertility and riches of the opposite shores, where they might revel in the fat of the land.

A whole month these deluded wretches, who were not permitted to retreat, and who could not retire across the broad river at will, continued to suffer the biting of the pitiless rain-storms of December and January. And what was their principal food ? Why, that which the carrier complains of at the inn in Rochester,—“ Peas and beans as dank as a dog.” They had, however, occasional feasts, as there were large piles of bones found, and pieces of bread and meat were scattered in some of the hovels.

And here female affection found its way. Mrs. Mackenzie, the mother of a large and helpless family, who, it is generally believed in Canada, disapproved of the senseless ambition of her husband, although she

was, as all her family are, or were, attached to the Reform side of the Canadian politics, dauntlessly visited and remained by that husband in this abode of wretchedness and guilt. Her sleeping-place, in a rough log-built shanty (as hovels built of rudely-hewn timber are called in Canada) was shown, as an evidence of what woman is capable of enduring. It was a mere recess, like a berth on board of ship. In this cabin,—with a shelf covered with straw, and exposed to wet and elemental warfare not less than it was to the wretchedness, unholy clamour, the filth, and the coarseness of the crew within, from whom she could not even be separated by a partition, lived this faithful wife, such was the crowded state of every place affording the slightest shelter from the cold.

Thus ended the farce of Navy Island, which was evacuated on the 14th January, 1838; and this was first known by a man with a white flag appearing on the shore next to Chippewa. He had concealed himself in the woods.

The American sympathy, however, did not rest here; for as soon as the Patriots had landed their thirteen pieces of cannon at Schlosser, and placed them under the guardianship of the State officer, they were conveyed to Buffalo, and there disbanded; and, immediately afterwards, the cannon were taken from the officer in charge of them by a fresh band of sympathizers.

Samuel Hayes,—who figured as High-constable of Toronto, in Mackenzie or Morrison's mayoralty, and who had been a sergeant in the 15th Regiment,—surrendered himself as a prisoner just before

the evacuation. This unworthy soldier, who had been most conspicuously employed, after his discharge from his regiment, in disseminating his venom among the soldiers and citizens of Toronto, had been employed in drilling the Patriot forces on the island, and deserted from them when the place became too hot to be held. What became of him afterwards, excepting that he was tried, I forget; nor is it of much consequence; and I only mention him to show the tools which Mackenzie had adapted to his use.

Nearly at the same time, Samuel Lount, the blacksmith, and late M.P.P., a great leader in the rebellion, was taken at a hiding-place near Dunham, on the Grand River, by Mr. Goldie, and with Dr. Morrison, the ex-mayor and M.P.P., was safely lodged in Toronto gaol; also several others. Bidwell was permitted to leave Toronto, and went to Albany.

The Upper Canadian Republic, having thus lost its chiefs, stood in abeyance; and all further annoyance from Navy Island was afterwards put a stop to by the orders of Sir John Colborne to clear it, as far as was necessary, of its timber.

CHAPTER II.

The actual Invasion of Upper Canada by the Sympathizers and Brigands, and a simultaneous attempt on both Provinces contemplated.

MACKENZIE and Van Renssellaer were arrested by order of the State-government of New York, and the former held to bail in 5,000 dollars ; but this show of a desire to put down sympathy was indeed a "passing show," for they were immediately released upon bail, although charged with levying war and stealing cannon and arms from the Arsenals of the Republic.

The word Arsenal in the American Military Dictionary, is of very various meaning, and the reader must not suppose that Mackenzie took a second Woolwich by storm when he ransacked an arsenal, or when it was so frequently done afterwards by his followers. *Au contraire*, this sounding designation on the frontier of the United States, generally means a wooden-house of two or more rooms, built like any other wooden-house, with perhaps a shed for the state-cannon adjoining, all as convenient and as patent to the plunder, or use of any mob, as the sovereign people could possibly desire, the keys being usually kept by some civil officer of the village or town in which it is situated.

Whilst upon this subject we may just allude to the extreme anomalies in the American mode of conducting military affairs, which the want of a sufficient army induced.

A gentleman of the name of Arcularius flourishes as a very military character, in the correspondence of the day, respecting the use made of the cannon and arms of the State of New York, and in the border papers he was always called General. So he was, but it was a Commissary-general's situation that he held. In short everybody you meet in a little "poking" village, on the borders, holds some title or official employ. Generals keep stores; Colonels shoe horses; Majors serve the bar of a tavern; and Captains and Subs hold any and every situation whereby money can be turned.

General Arcularius particularly distinguished himself by writing a Despatch to Colonel M'Nab, respectfully soliciting a suspension of an attack on Navy Island until he, Arcularius, could persuade the invaders to deliver up the United States' cannon and arms they had stolen, and which of course ended in smoke. Never such despatch was before or since read or thought of, as to matter, manner, and object. But it is not worth extracting, and it is only equalled by another from Mr. Garrow, who declares to the President he cannot enforce neutrality, and by the President's declaration that the laws of the United States were unequal to it also.

I am fond of telling anecdotes, because, as I said before, they relieve the tedium of narrative.

An officer, employed on the Canadian frontier, bought a horse of a Captain of Militia from the Empire State,

which proved, after some time, not to be exactly the charger he required. The horse-dealer, who also dealt in everything *smuggleable*, came over the river, on his usual avocations, a few months subsequent to the purchase, and the subaltern, seeing his friend, asked him to take the horse back, as it did not suit him.

"Guess I will," says Harmonious Tuke, "when I feel slick in cash."

"The mare is just as good and as sound as the day I bought her of you, and you may have her for five pounds less."

"You're a considerable smart man, I predicate. It's a trade."

Harmonious pulled out a bundle of notes of the thousand-and-one banks of the State of New York, but he had not enough even of these rags.

The subaltern preferred Canada money, and shook his head.

"Don't be stumped, I'll get 'em changed; I a'nt difficult, the mare is as tall a critter as ever had hair on."

The subaltern looked impatient.

"Don't get riled; I'll fix the shin-plasters,* and as for the balance, here's a silver watch, just the tot. Guess the Captain keeps a store, and can trade it."

But setting aside jest, let us pursue the thread of narrative. Sympathizing had now spread itself along the whole frontier of the United States, from Michigan to Vermont, and General Sutherland, a person of Scottish extraction, had departed from Buffalo for Cleveland, in Ohio, on Lake Erie, to organize an attack simultane-

* *Anglice*—Bank-notes of doubtful value.

ously with that on Navy Island, upon the small island of Bois Blanc, which occupies a part of the Strait or Detroit, near the commencement of Lake Erie at Malden or Amherstburgh, being exactly opposite to that Canadian town and fort, and one of the weak points on the frontier, which the reader will recollect had always been selected by American officers in the war, to invade Canada from.

The position of Bois Blanc is much the same as that of Navy Island, namely, a small isle covered with forest, and holding command of the channels of the river.

It was moved upon by bodies of American sympathizers from Lake Erie and from Detroit at the same time. The men from Cleveland in Ohio, under the command of a self-styled Colonel, named Dodge, left Monroe, on the 7th of January, in a schooner, and were joined at Gibraltar, on the 8th, by General Sutherland, with several boats and scows (a large kind of flat-bottomed boat, like the coal-barges on the Thames) with 3 field-pieces, 250 stand of arms, and a very large stock of provisions.

The object of this movement was to surprise the Militia at Amherstburgh and then to invade Canada, in the same manner as was done during the war, by marching upon Malden and Sandwich, and to the interior as far as London, where they expected to be received with open arms by the settlers of American origin.

During their progress the schooner, on board of which all the valuable military materiel and stores were, was separated from the fleet, and ran close in shore; whereupon she was hailed by a Militia sentry, who told

them that if they persisted in closing with the land they would be fired into. An answer, couched in the most gross terms, was made, out of contempt for the Militia, and a *tirailade* immediately opened on both sides, which obliged the Patriots to haul off, but not until their cannon had done some injury to the un-offending inhabitants.

This schooner, the *Anne*, was a fine vessel, and had been openly loaded with her cargo of men, arms, and provision by the *Detroit*, a steamer belonging to the American city of that name, opposite to Sandwich, in Upper Canada, the cannon, the powder and ball, having previously been stolen, or rather taken, from the United States' Arsenal at Dearborn, about ten miles from the city, and five or six hundred muskets were also as deliberately stolen from the gaol dépôt at the same time, without an effort on the part of the authorities to prevent such wholesale levying of war in a country at peace with England, and then recently under a deep moral obligation to that nation from her desire to avoid a war with France.

No effort was made to seize either the Erie steam-boat, which was actually taken from a pretended civic guard during the night, or the *Anne*, although the latter remained quietly at anchor, receiving her men and stores from the former for a whole day, within two miles of the seat of government of the State of Michigan.

Two steamboats, in fact, were constantly engaged in conveying troops and stores to Bois Blanc. The District-attorney refused to interfere; and a Deputy United States Marshal, who wished to prevent bloodshed, was

denied the requisite power to arrest the patriotic enthusiasm. At length, however, a show of interference was made; and a ferry-boat, called the *United*, sent to capture the field-pieces and arms from the schooner. The *United*, however, soon sheered off, for the brigands threatened to treat her with a broadside; and the high-constables and legal posse, judging that the better part of valour was discretion, and "considerably" inclined towards the cause, as they reported to their superiors, "turned about face and went *hum* again," no doubt, as a Canadian observed, "tarnation scared." However, after the reconnoitring attempt, Boisblanc was evacuated; and Colonel Prince, of the Canadian Militia, a member of the Parliament, and a lawyer of eminence, judged it was quite time to give Mr. Sutherland and his heroes a useful lesson; and accordingly he, with 250 gallant Volunteers, embarked at twelve o'clock at night and quietly took possession of the island in the same *United* ferry-boat which had run away from the *Anne*.

The proceedings at Amherstburgh were now rife with interest, and the Militia began to collect rapidly from the neighbouring country. What followed is best explained in the statement of an eye-witness, and in the despatch of Colonel Radcliffe, who commanded the Militia on the Western District frontier.

The result of this affair, one of the most glorious in which the Militia were engaged, was that 1 schooner, 3 pieces of cannon, 200 stand of arms, and a vast quantity of ammunition were taken; 1 brigand was killed, 8 wounded, and 12 made prisoners. The name of the man killed was David Anderson, whilst the

notorious leaders, Dr. Theller, Robert Davis, Walter Chase, and Colonel Dodge, who lost an eye, Thayer, Smith, and Colonel Brophay, were amongst the captured Patriots. The Militia fought in the icy water with pitchforks, and whatever else they could muster, old and young, able and weak, the strong in health and the sickly, all vied in courage and loyalty, notwithstanding that the schooner was supported by a large steam-boat, the *Erie*, full of sympathizers, who however sheered off, and left Theller to his fate.*

* At three o'clock in the afternoon of Monday the 8th instant, just as the Militia had been dismissed from their parade in the Garrison at Malden, an alarm was given by the sentries posted at Bois Blanc, that the brigands and pirates, about 400 in number, were leaving Sugar Island in the schooner, scows, and boats, with the view of invading Bois Blanc instantaneously, and that they would reach the shore in half an hour. It is perhaps well to observe that Sugar Island belongs to Michigan, and that it had for some days past been the rendezvous of the brigands. Bois Blanc is the British Island, and at the lower or southern end of it stands the lighthouse. As soon as the alarm was given, the Militia and their officers, aided by Captain Woodward's gallant troop of cavalry from the London district (dismounted), hurried to the boats, and to a schooner then lying at the wharfs in Amherstburgh, and the island was invested as expeditiously as possible by about 300 well-armed men. They were stationed at three several points of the island, so as to command and watch the brigands' movements, and to annihilate or take them if they attempted to effect a landing. The brigand forces were arrayed as follows :

The schooner, with a sloop,—which has since turned out to be the *George Strong*, apparently her tender,—hovered about the lower end of the Island, at the distance of a mile below the Lighthouse, sometimes lying to, and sometimes apparently hugging our shore at Elliot's Point (about two miles below Amherstburgh), as if inclined to land her men there. Their main body was seen being towed in scows, by two boats up the river towards Grosse Isle, taking care not to come within musket-shot of Bois Blanc. They fired two cannon shots of canister and grape at us, which did no injury. This was the first hostile shot fired on this frontier, and after that there was "no

General Sutherland, the leader of this exploit, escaped to Detroit, where, notwithstanding the piracy

mistake" in their intentions. After waiting for the pirates about two hours, and perceiving that so far from attempting to attack us, they pulled in their scows above Bois Blanc, and that the schooner and the tender, apparently made sail for our shore at Elliot's Point, the officers held a consultation together, and as it was deemed not improbable that the brigands' object was to effect a landing on the main shore, and to take the town of Amherstburgh (which had not 100 effective men left to defend it), orders were instantly given to quit Bois Blanc, and to return in the boats to Amherstburgh, with the least possible delay. The men were all landed in about an hour, leaving the island undefended (because a force could not be spared to remain there), and everything was removed from the house of the Lighthouse-keeper, Captain Hackett, except some trunks containing his and Mrs. Hackett's clothes. In an hour after the men had landed in the town, the pirate schooner sailed up the channel (a good breeze favouring her), between Bois Blanc and the town. Her consort lay to under Bois Blanc Island. The Militia kept up a constant firing at her with their rifles, but as the distance was not less than 400 yards, it had but little effect. It was, however, afterwards ascertained that upon this occasion one man was killed, and several slightly wounded; she fired an occasional cannon shot, and she was fairly beaten off, and sailed, as was supposed, for the scows and boats which had disappeared, and were conjectured to have returned to Sugar Island.

On the following morning, Tuesday the 9th, the sloop was made to come in without a shot being fired, and she was secured. The pirate schooner was seen at anchor near the upper end of Bois Blanc, and almost opposite the King's Store. She cruised about for some hours, nevertheless taking care to keep out of the range of musketry or rifle shots, and occasionally firing grape and canister into the town. A large number of the banditti were seen scampering about Bois Blanc, as if from curiosity. They quitted it in a few hours; and it is fair to admit that they did no injury whatever to the Lighthouse, or the residence of Captain Hackett, or to a schooner which lay ashore upon the island. They, however, carried off the whole of Captain and Mrs. Hackett's wearing-apparel, and also a valuable gold ring;—and that was all the injury they did. Our people, of course, resumed possession of the island on the following day, and brought the schooner just mentioned to the wharf at Amherstburgh; and we have had possession of the island ever since.

committed by him, and the taking of the arms of the State, he was permitted to go at large, and issue his

But to proceed. The pirate schooner had, of course, been narrowly watched through the day, but at sundown she sailed slowly and steadily from the head of Bois Blanc, between that island and the town, hugging the island as closely as she could for fear of our musketry and rifles, and firing about a dozen shots of ball, grape, and canister, into the very heart of Amherstburgh. The houses sustained but little damage, and the inhabitants none. Our men followed her (first leaving a force of about 150 men to defend the upper part of the town near the King's Store, upon which a descent from the brigand scows and boats was expected every minute), and as she neared Elliot's Point, a rifle ball killed the helmsman, and the wind blowing very strong, the schooner came ashore. They were called on to surrender, and to take their colours down; but they declined, or neglected to do so, and several shots were exchanged, and two of the pirates were killed after she had stranded: she was about eight or ten rods from the shore. Our men then plunged into the water and boarded her; and a jolly little man of the name of Lighton, climbed up the mast and hauled down her colours.

The prisoners were brought on shore, and the wounded treated with every kindness, humanity, and consideration. Indeed, we need only refer to, the spontaneous declaration of W. W. Dodge, who is by far the most respectable among them, as evidence of their treatment.

The capture consisted of a schooner, called the *Ann* of Detroit—21 prisoners (most of them American citizens), 3 pieces of cannon, and upwards of 200 stand of arms, and a large quantity of ammunition, besides some stores and provisions. The Militia engaged in this capture were all volunteers, and behaved most gallantly.

Thus ended an expedition which was to have terminated in the plunder of our property, the massacre of our families, and the total subversion of our Constitution and Government. We can tell Mr. Sutherland and his crew (who by this time are hungrily seeking what they can devour), that if he wants to have another set-to, we are prepared with 1,200 "gallant souls," as Mr. Bates called the pirates,—who are eager for something to do to keep them warm this cold weather.

Letter of Colonel Radcliffe, Commanding Western District Frontier,
to Lieutenant-colonel Strachan, Military Secretary.

Amherstburgh, January 10, 1838.

Sir,—I beg to state, for the information of His Excellency the

proclamations for another invasion; and to cap the climax, the Editor of a Detroit Newspaper, the *Post*,

Lieutenant-governor, that on the 9th of January, 1838, the schooner *Anne* of Detroit, in the service of the rebels occupying Bois Blanc Island, was lying in the channel between the Island and Fort Malden; at dark it was perceived that she neared the shore. On receiving this information I reinforced the guard and pickets, and called the garrison to arms; the vessel then got under way and passed the town, into which she threw some round shot and grape; I immediately expected she would land men at a place called the Point, and exactly opposite the Lighthouse at Bois Blanc, and ordered the men to proceed to that point, where I had a guard of twenty placed, and reinforced by an out-lying picket of forty men. The vessel came close up to the shore and commenced firing grape and round shot, and musketry; the Militia opened a brisk fire, and the schooner ceased firing, when it was thought by some that she was willing to surrender; however, as she would not pull down the flag our men boarded her, although up to their arms in water.

The General (Dr. Theller) was at that moment in the act of reloading the six pounder they had on board—Captain Lang, of the Lake Merchant Navy, took the cartridge out of the mouth of the gun—Mr. Ironside, acting Captain of Militia, took the flag. We found on board 21 persons, 1 killed, 12 wounded, 3 pieces of cannon, in good order, about 200 stand of arms, buff cross-belts, and ammunition (of this but a small supply). When I receive a return, you shall be informed more at length.

I have given directions to set fire to the schooner, as soon as all the stores are taken out of her. I have just been informed that the enemy have got a steamer from Detroit, called the *Erie*. The rebels seized her; and the Mayor or Governor ordered her to be retaken, but the rebels refused. The city guards did not give them any further trouble, in fact everything is done in this way; the rebels have taken six pieces of cannon at Detroit in the same way, and they are now on board the *Macomb* steamer at Detroit, and of course will be employed against us to-morrow.

One of our scouts has just come in to say, that he supped in company with some rebels at Gibraltar Point last night, and they there said that it was their intention to attack Sandwich this night; that they would divert us by a show of passing about the channel, but the object was Sandwich.

I am now informed that the *Erie* steamboat has passed between Bois Blanc and Sugar Island, and has discharged some cannon. I

very gravely and formally demanded of the General on his arrival, in writing, whether the Banks of Upper

have ordered reinforcements to this point, and if I hear they are coming nearer I shall beat to arms. This seems to be our weakest point, and I wish His Excellency would send a company or two of the line to assist. I have just had a letter from Colonel Hamilton, at Windsor, that he had been well informed that the rebels intended to attack Chatham this night; and if the water was not sufficient to take them up, that they would try Windsor or Sandwich.

This end of the country is very much exposed, and should be attended to in time. I have issued orders to send 100 men to Sandwich, to assist there in case of attack.

I should be glad to know if His Excellency wishes to employ the Indians.

I have sent the prisoners to London Gaol.

Your obedient Servant,

THOMAS RADCLIFFE.

Colonel Commanding Western District Frontier.

N.B.—The *Anne* of Detroit is aground, but have not yet burned her.

Lieutenant-colonel Strachan, Military Secretary.

R E P L Y.

Government-house, Toronto, January 25, 1838.

Sir,—I am commanded by His Excellency the Lieutenant-governor to acknowledge the receipt of your despatch of the 10th instant, and to express his high sense of your conduct and that of the gallant men under your command, in capturing the schooner *Anne*, in the service of the pirates with their guns, and a large quantity of the munitions of war.

This gallant exploit reflects the highest credit upon those employed on the occasion, and proves that the Militia of the Western District required only an opportunity to show the same readiness to defend the Queen's Government, and protect their homes from the depredations of lawless invaders, which has been exhibited by the Militia in other parts of the Province.

I have the honour to be, Sir

Your most obedient humble Servant,

(Signed)

J. M. STRACHAN,
Military Secretary.

Canada were solvent, and what were the intentions of the Patriots relative to those banks, should they succeed in their plan of "redeeming" the Province; to which the General replied by transmitting the Editor of the *Post* copies of his despatches to Generalissimo Van Rensselaer, and enclosed his Proclamation to the citizens of the new republic of Canada; on which subject, the *Commercial Advertiser* of New York, one of the leading papers of the United States, in an article upon the Michigan outbreak, dated January 26th, 1838, and headed "Captain Bobadil outdone," says, "*the whole forms about as magnificent a piece of vagabond impudence as ever fell within our observation.*"

A great deal of talk about violating the neutrality of the United States; and a farcical exhibition of anger against the robbers of the public military stores took place in the capital of Michigan; and thus ended Major-general Sutherland's attempt to carry flame, famine, and destruction into Canada simultaneously with Mackenzie, whose Canadian land-office and presidential establishments were thus knocked on the head by a handful of raw volunteers, unprovided with arms, undisciplined, and possessing no knowledge whatever of the withering designs of their abandoned invaders. And these brave men were not only Canadian gentlemen, farmers, and farm-labourers, but they were also the poor despised Negroes, who had made Amherstburgh their asylum from slavery and persecution; and last, but not least, the ranks of the defenders of the soil showed those honourable descendants of the original French settlers, who are found now in Upper Canada only along the margin of the Detroit. Several of these

excellent loyalists, of all classes, suffered severely afterwards, and some lost their lives from the exposure they underwent in the depth of winter, in carrying on their duties of watching so open a frontier, and in fighting amidst ice and freezing water to capture the *Anne*. Peace be to their manes!

Immediately this event became known, the Militia were organized, and such arms as could be sent from so great a distance as Kingston were forwarded to them, whilst the Commander-in-chief put the 24th and 32nd Regiments in motion to garrison the frontier posts, and continual reinforcements of troops from the Lower Province, as fast as they could be spared, on the arrival of others from the neighbouring provinces, were sent to Upper Canada.

The British reader can form very little idea of a mid-winter march from Halifax, in Nova Scotia, on the borders of the Atlantic, to Lake Erie, a distance of nearly two thousand miles by the ordinary water-routes in summer, but shortened a good deal in overland journeys.

After leaving the settled parts of New Brunswick, beyond its capital, Fredericton, the route proceeded across an unbroken line of forest and frozen lake, in a climate little inferior in severity to Siberia.

Log-huts were constructed, by order of Sir John Colborne, at intervals along this line, and these were generally large buildings of rude logs, with a wide opening in the roof to let out the smoke of a huge central fire. Everywhere, except upon the beaten track, the snow lay many feet deep; and any one wandering from the prescribed line, would entail

inevitable destruction on himself, as nothing is so easy as to lose your way, even in summer, in the endless American forest. Near Penetangueshene, our most northern post on Lake Huron, I have lost my way, even with an experienced Bois Brulé guide, who really became alarmed, until he recovered the trail,—a track invisible to European eyes, consisting often only of marks, designated by small slices cut out of the bole of a tree, or of leaves pressed by the light foot of an Indian, or of the delicate ends of the minute branches of shrubs broken off during the rapid and swinging trot at which the secure walk of the Indian usually is performed.

Many fine stories have been told of the unerring accuracy with which the Indians thread hundreds of miles of the dark and trackless forest. There can be no doubt, that the Indians, and all other savage men, possess the faculties of sight, hearing, and smell in a much more acute and developed manner than civilized people, simply because they have them in constant exercise; just the same as an Irish labouring-woman can carry a tremendous weight on her head without the use of her hands; or as a blacksmith's arms become muscular and more powerful than ordinary mens' arms, from his using the sledge-hammer constantly; but that any Indian could go straight to his object, hundreds of miles off, through a forest never before trodden, abounding with quagmires and lakes, is as unlikely as that he would find his way in any part of London, the first time he set his foot in that human labyrinth.

The fact is, that the Indians do not take very long land journeys; their hunting-grounds are circumscribed,

and have been so long used by the tribes they belong to, that every landmark is familiar; and, in passing through "the bush," as the stately forests of America are absurdly called, the Indian follows a track more or less known and beaten; otherwise, he follows the direction of the planetary bodies and the stars; and, in a country so full of great rivers and lakes, the landmarks about their shores and borders have become familiar sights to the sons of the forest.

The moss on the northern sides of the trunks of trees,—the inclination of many of the trees from the prevailing wind, with the comparative absence of branches on that side from which the strongest and most constant gales blow, are all points of the forest compass, and the migration of animals, north and south, is conducted upon a system which affords numerous lessons to the wood-ranger.

Fancy yourself, gentle British reader, starting, instead of in a comfortable mail-coach, or the swift railway-carriage, on a road smooth as a bowling-green, and through a country smiling even in winter,—fancy yourself seated in a long open box, placed upon runners, shod or unshod, as the case may be, with iron, and drawn by a horse, large or small, as can be procured, with a fur cap on your head, if you can get one, with a pair of mittens, or fingerless worsted gloves, on your hands, a great coat over your ordinary dress, and a pair of mocassins, or undressed deer-leather shoes on, and the thermometer at twenty or thirty degrees below Zero, with a dense, dark, lofty, interminable, and noble forest before you, uninhabited by man and knee-deep in snow. Your box holds two,

four, six, or eight, as the case may be, and a hundred of you set off in a long string together, plunging into waves of snow, called *cahots*, every five seconds or minutes, and expecting every now and then to be pitched over into some river far below your precipice road, and so rapid that even the frost has not bound it. Fancy an eternal, black, gloomy pine forest, whose giant tops woo the clouds, and in which the silence of its dark glades and glens remains unbroken by any sound save that of your rushing sleighs, for even the animals, its usual denizens in summer, have forsaken its horrible depths. Fancy all this, and that the only hope of succour left to you for hundreds of miles is to be found in rude hovels built of logs, which you can only reach at long intervals, and that such is the nature of the road, that you must often get out to relieve your horse, and then, I think, you will have a pretty good idea of what the 43rd and 85th, the Royal Artillery, and many other regiments and corps, had to encounter in their journey from Halifax and Fredericton in the winter of 1837, 1838, and afterwards. An officer of the 85th, describing the "portage," says: "Never in my life did I see such a road; it was a succession of precipices, flanked by a dark, gloomy, and boundless forest." In another place, in crossing a river, he observes: "The driver of my sleigh certainly tempted fate to the utmost verge, driving over alone at a furious rate, whilst the whole sheet of ice undulated like the representation of the sea on a stage."

Amongst the *cahots* of Temiscouata Portage he is equally descriptive: "These are a succession of deep

holes, which are formed, when the snow is on the ground, by the bad construction of the *carioles*, the shafts of which are fastened on to the very runners, and having a broad board to connect them, sloping at an angle of forty-five degrees, the snow is thereby scraped up into mounds, between three and four feet high; so that, really, the motion of our sleigh was precisely that of a boat in a heavy sea, only its effects were ten times more violent; and this idea suggested to me the name which I gave to the portage, viz., *passage des ondes glacées*. It was dark when we got to the camp, a number of large log-huts, erected on purpose for the troops. We passed a very uncomfortable night, owing to the smoke of our fire, which also, at times, was large enough to roast an ox by, and obliged us to rouse out and put snow upon the flames, when, shortly after, it would get so low, that we were in danger of freezing. The thermometer was four degrees below zero."

They then crossed the Temiscouata Lake where the ice was full of holes and very dangerous, and soon afterwards, near the Grand Portage, his horse, unaccustomed to the jerking and strain of the *cahots*, gave way and he was obliged to leave him, and going on with the Commissary* in another sleigh, the horses also broke down, from the violent concussions they received from the sleigh pitching into holes; when they floundered and fell into the deep snow, broke the

* This commissariat-officer was Mr. Wilson, to whose exertions the troops owed so much, and who lost the use of his arm for a time from absolute fatigue and exposure. Captain Ingall, of the Quartermaster-general's Department, was also most active and useful.—EDITOR.

shafts, and left the travellers to cool their vexations in the middle of the forest. However, a reinforcement came up, and the writer describes the incessant pain he suffered from the unevenness of the roads, which actually were so full of these *cahots* as to baffle all his exertions to keep his seat. Any one who has ridden in a French cariole, over a French Canadian winter road, can sympathise with him: and yet, rather than put the shafts of their carioles eighteen inches higher than the ground, the French Canadian endures this torture, because his father and grandfather did, or from some vague notion of antiquated customs being always preferable to new-fangled ones. I am persuaded that one of Jean Baptiste's master grievances, which would lead him to do strange freaks, will be the attempt, on the part of the Upper Canadian British, to force him to put his shafts on the line of draught of his horse. It was tried in Sir Charles Bagot's first Parliament; and, like any attempt at innovation upon seigniorial rights, the old feudal laws, the *coutume de Paris*, or the thorough introduction of the English laws and language in a British Colony, it was found to be impracticable. It has been attempted by many Governors without a shadow of success; and I can only say, that when I see the *bonnet rouge*, the *capote*, the red worsted sash, the *queue*, and the short pipe, disappear in Lower Canada, then perhaps there will be an end of pitching and tossing in Lower Canadian berlins and carioles. It makes ones bones "ache to think on't." It is as bad as an Upper Canada wooden-spring wagon on a corduroy road. And yet, notwithstanding all these difficulties and dangers from frost and flood,—from

tempest and forest,—very few casualties occurred amongst the many regiments which crossed from Nova Scotia or New Brunswick to Quebec ; whilst few cases of frost-bite, or, as the Newfoundlanders more feelingly call it, “frost-burnt,” occurred in these winter marches, which are wonderfully improved as to means since the last American war ; as the road is a mail-route,—if it can be so termed,—now, and the troops have no longer to bivouac or hut themselves “under the shade of melancholy boughs.” Formerly, too, they had to march actually on snow-shoes, and to draw their provisions themselves, in little light sleighs, called *taubaugins* ; for road there was none.

Major-general Sir John Harvey, on the breaking out of the last war, having landed at Halifax from England, was one of the first that ever crossed this wilderness, which he accomplished in safety ; Lord Edward Fitzgerald had attempted it in 1789, in the month of March, by a more southerly and western route.

Sir John has twice distinguished himself by the same spirited adventure. In India, as before-mentioned, he passed on horseback over an immense tract of country in possession of the enemy, who had got between two divisions of the army ; and by thus communicating with both, he performed a service of the most hazardous nature, requiring presence of mind, resolution, and hard and skilful riding ; whilst, in traversing the boundless expanse of forest in the dead of winter in Canada, he had to encounter the extremity of bad weather and cold, and to trust to his snow-shoes and his own feet.

The march of the 85th from St. John's, New Brunswick, after crossing Nova Scotia to Windsor and the Bay of Fundy, lasted from the 16th of December, 1837, to January 5th, 1838; and they had to pass the St. Lawrence in canoes.

The winter of 1837 was a most singular one, and, contrary to all former precedent, the lakes of Upper Canada and the St. Lawrence, at Quebec, remained unfrozen till February, and thus permitted water communication for heavy guns, and stores, and troops, in Upper Canada; whilst, on the line of road by which the reinforcements came from New Brunswick and Nova Scotia, the rivers and lakes were frozen long before the usual season; thus rendering the march of troops secure by land. At the same time, the St. Lawrence was so free from ice, that the 83rd Regiment actually moved from Quebec to Montreal (180 miles), on the 11th of December.

But we must again break away from anecdote, and return to General Sutherland and his myrmidons. Having taken shelter, after their defeat at Amherstburgh, on Sugar Island, a small isle in Lake Erie, or rather in the Strait, belonging to the United States, they were visited by the Governor of Michigan, Mr. Mason, who persuaded them to retire to the main shore, where Sutherland, as we have already observed, was nominally arrested.

The exertions of the inhabitants of the Niagara, London, and Western Districts of Upper Canada, or of those districts bordering on Lakes Erie, Huron, St. Clair, the rivers Detroit and Niagara, were beyond all praise.

As soon as the excitement on the American side at Buffalo, Cleveland, and Detroit became known, a public meeting was held at Sandwich, opposite to Detroit, on the 26th of December, 1837, when it was resolved to organise companies of volunteers, and place them along the exposed frontier, to send expresses to Chatham, and all along the shores of Lake Erie, to put the people on the alert, and then to organize a local commissariat for the supply of provisions, as a great portion of the land bordering on the lakes had been overflowed, and the inhabitants unable consequently to supply the Militia with food. William Anderson, Esq., of Sandwich, was appointed Commissary, and William Paxton, Esq., of Amherstburgh, and James Reid, Esq., of Chatham, Assistants, by whose exertions, before the navigation closed, an adequate supply was derived from the Americans themselves in Detroit, through the distinguished conduct of Mr. Dougall, a merchant of the little town of Windsor, nearly opposite to the American capital of Michigan. This gentleman, finding that nothing but hard dollars would be taken, came forward and placed twelve thousand in the hands of the Commissary; Colonel Prince, M.P.P., and Colonel Hamilton, the Sheriff of the London district, also came nobly forward and offered to endorse drafts, which gave so much satisfaction to the American merchants that fire-arms, ammunition, pork, flour, and other necessary supplies soon came over, although the mob threatened the suppliers with popular vengeance, and stigmatised them as traitors to the cause of Republicanism. Independent, however, of the usual mercantile feeling which pervades all classes of society in the United States, and

which renders such transactions comparatively easy to mens' minds, there were many of the ancient and respectable inhabitants of Detroit who had no sympathy with the sympathizers; in fact, the feeling was not general beyond the mere borders of the lakes, whose population, living upon summer labour on their vast expanse, is always thrown into comparative idleness in winter; and however glad the mass of the American nation would no doubt be to see the Canadas an additional star upon their banner, yet I firmly believe the people of large property, the people of cultivated intellect, the great merchants of New York and Boston, and the Atlantic ports, cursed the hour when Papineau and Mackenzie unfurled the foolish flag of rebellion in Canada, for they knew well that the power of England was too great to trifle with; they knew also that their own institutions were not such as the French Canadians, all Roman Catholics, could possibly desire, and they well knew that British feeling had not by any means ceased in Upper Canada.

The Canadas will never be an integral portion of the North American Union. They compose, with New Brunswick, Nova Scotia, Newfoundland, and the islands of the St. Lawrence, an empire of themselves; and if ever it should be so unfortunate as to cease to be an appanage of the British Crown, it will be by and with the consent of England only, as soon as it is able to withstand the system of territorial aggrandizement which pervades the American mind, and which, if pushed much further, will dissolve the Union itself, and scatter the bundle of rods. It is not within the compass of human reason to fancy that if the United

States pursues with insatiable avidity the conquest of the Pacific shores, and colonizes the vast regions of California and the Columbia, that a race, living 2,000 miles from Washington, and practising democracy in its most absolute form, will long remain subject to a nominal President. If Canada then, with her mixed French and British population, the latter increasing every year by some forty or fifty thousand, ever becomes rich and ripe enough to manage her household, it will not be as a second Texas, a mere football to play with, but as a great North American power, in strict alliance with England, and, in fact, another British empire in the New World.

I do not go altogether so far as Sir Francis Head, who, like most Colonial governors, could not see all or hear all of the real people of the country; yet I am persuaded that that energetic man, who knew more of the Canadian character in the two years that he ruled than has fallen to the lot of most people, justly remarked that the Upper Canadians are sound, loyal, and far from being blinded by or attached to the republican ideas or the republican institutions of their neighbours; whilst the French Canadians, urged as the peasantry were by designing politicians, whose chief hope was to advance themselves into a premature rebellion, would to-morrow, if there was a war between the United States and Great Britain, come forward as freely and as fearlessly in defence of their soil and of the monarchy as they did before. One must not judge of Jean Baptiste by the acts of a parcel of madmen who set the young French lawyers and shopkeepers of Montreal in a blaze of revolutionary fury, and brought all the natural

high-spirited blood of the young Canadian into play to suit their own sordid purposes, which the very publication of Dr. Nelson's proclamation soon after cooled most wonderfully, as the people saw that they were to be governed by *parvenus* upon the American model, and their religion, laws, customs, education and manners were all to be swept away in one flood of democracy. Believe me, English reader, the French Canadian yeoman and the French Canadian peasant are not bad fellows after all; and that if properly governed they are as reasonable people to deal with, (setting apart some ancient prejudices, derived from their ancestors,) as you could wish; but more of this by-and-by. It has been suggested to my mind now, because the scene of the narrative is at present the Western District of Canada, the only part of Western Canada in which the French Canadian is found. There gentleman, yeoman, peasant, all were devotedly loyal, and all aided to crush the invasion of the Republicans.

Applications were made to the Lieutenant-governor for a Commissariat officer to be sent, but this could not be immediately complied with; and thus the frontier was indebted for its sole preservation to the loyalty of its inhabitants, and particularly to those gentlemen already named.

Three hundred militiamen were enrolled to do duty at Windsor, Sandwich, and Amherstburgh, and that duty was constant and unremitting, day and night; and as at other places on the Canadian frontier, many of them never took a whole night's rest for a fortnight at a time, for the preparations in Detroit were visible both to their eyes and to their understanding.

The invasion was delayed by the uncommon occurrence of the river Detroit remaining navigable; for the usual season of ice would have made the commencement of January a better period.

The Magistrates and Militia officers, relieved by the delay of the pirates, collected all the powder and lead they could obtain, and the Militia were reinforced by the men of Kent, under Captain Bell, and Lieutenant Baby, a gentleman of French Canadian birth, and by Lieutenant M'Crae, who nobly sent 120 fine fellows to their brethren in arms; whilst the St. Thomas Cavalry, sixty strong, came in also just as the Patriots were robbing the American Arsenals and preparing for the attack. The command of the Militia of the Western District devolved on Colonel Radcliffe, of Adelaide, who brought an increased force with him; and the coloured population enrolled themselves in the true cause of British freedom to a man, and were at once officered by Upper Canadian gentlemen.

The first rendezvous of the brigands was at Gibraltar Point, on Lake Erie; and the Governor of Michigan, Mr. Mason, having received intelligence that they numbered 700 men, with five pieces of cannon and 1,200 stand of arms, gave due notice that he should proceed against them, disperse them, and take the United States' material of war from them. He sent a steam-boat, with a body of Militia, pompously styled "The Brady Guards" after the schooner, as we have already related, and then went himself with the same steam-boat, the *Erie*, and another called the *Brady*, with a force of 250 men against the brigands, but on arriving at Gibraltar Point they had sailed for Canada,

and several of his men, with their arms and ammunition, left him. He returned to the seat of his government; and such was the animus against the Canadians, that even his presence could not restrain the men on board his steamer from firing upon the small steam ferry-boat which was proceeding with Colonel Radcliffe and a party of the Essex, Kent, and Windsor Militia to strengthen the post of Amherstburgh, then threatened with an attack.

We have shown the attempt to occupy Bois Blanc, and then the firing twice upon the town of Amherstburgh and the projected landing, so well defeated by the Militia and Volunteers, who it is said, upon good authority, amounted only to 400, scarcely armed; for since the war of 1814 the arms of the Militia had been stored in Kingston, with only a few rounds of powder and ball for a few muskets and fowling-pieces, and the grand total of three bayonets to swell the list, which was indeed the whole that the Lake Shore District of Amherstburgh could then afford, so completely had the ploughshare and the reaping-hook occupied the place of the sword and the lance.

The attack of the schooner *Anne*, on her first passage in front of the town, was on the 8th of January, and merely a scattered cannonade; but on the 9th she kept out of rifleshoot, and poured for two hours a heavy fire of round, grape and canister (belonging to the military stores of the United States) upon the devoted town, without however, owing to the want of knowledge of the gunners, doing much harm. In the interval between the two attacks upon the town, Colonel Prince withdrew his 300 men from Bois Blanc, to reinforce

Colonel Radcliffe. General Sutherland then took possession of the island, with all the pomp of brigand war, marching round its borders, opposite to Amherstburgh, with drums, trumpets, and flags, in order to show the Canadians that the first step had been taken upon their soil.

The final attack on Amherstburgh was made after sunset on the same day as the two hour's cannonading, when the *Anne* again bore down and opened her guns on the town. The cavalry from St. Thomas followed her motions, and fired into her, carrying all the volunteers, excepting 150, who remained at the landing-place expecting General Sutherland and the pirates in the brig, scows, and boats from Bois Blanc. The *Anne* came abreast, at length, of a place called Elliott's Point, and here her fortunes failed her; for the wind was dead on shore and blowing hard, and several bullets had pierced her sails and rigging from the muskets and rifles and fowling-pieces of the Kent and Windsor Volunteers, under Lieutenants Baby and Hall, who kept guard at the Point, whilst a lucky shot disabled the steersman, upon which the patriot vessel broke away and grounded. Here the Essex Militia and the coloured people rushed towards her and kept up a galling discharge of fire-arms, which was returned for a time with energy, until the Militia, no longer able to restrain their ardour, jumped into the water and boarded her, wading up to their necks. One of these brave young men, Mr. Ogilvy, of Montrose in Scotland, died a few days afterwards from this exposure to the icy element, and several others sunk under their exertions subsequently, whose names I do not recollect.

The vessel thus boarded yielded at discretion, and General Theller, with Colonel Dodge and Captain Davis, of the Brigand Infantry, and Colonel Brophay, of the Pirate Engineers, surrendered, with sixteen others, including Anderson, an Upper Canadian traitor, from the London District, who died next day of his wounds; and two or three others were drowned or killed.

The Militia, in addition to the victory, found what they most needed,—muskets, bayonets, and cannon, one nine and two six-pounder guns, 350 stand of arms, and accoutrements complete, a very large quantity of ammunition, and 630 dollars in the chest. Thus the Volunteers assumed a warlike attitude from the military arsenals of the United States,—a just retribution; and two of the cannon being mounted on the old Fort Malden, then in ruins, the other was placed on board a schooner, fitted up by Captain Vidal, of the Royal Navy, who resides on Lake St. Clair, at Sarnia, and who is well known in Canada as a most active, enterprising officer, and a most useful and energetic settler.

Thus terminated an invasion of Upper Canada, which, if it had been successful, would have created immense outlay and difficulty, as arms and provision on that exposed frontier could then only be had from the United States, and would have been freely supplied to the adventurers.

We have already said that Governor Mason succeeded in dispersing the brigands; but not before they had become obnoxious to the Americans themselves; for the Bank at Gibraltar Point actually petitioned the Michigan Legislature for permission to remove to the capital, as “their concern” was rendered rather unsafe

by the "presence of the Patriot Army." But the judgment of Judge Wilkins deserves a more than passing notice. When Sutherland was brought before this Judge on the serious charge of "violating the laws of the United States, in setting on foot a military expedition against the dominions of Great Britain," the learned Judge refused to hear any evidence respecting the transactions upon the Island of Bois Blanc, as that island was not within the territories of the United States; and then actually dismissed the case altogether, stating that there was no evidence before him connecting the military expeditions set on foot by Sutherland with the invasion of the British dominions!

Such, indeed, were the usual results of all arrests of the pseudo-patriots along the whole frontier, from Maine to Michigan; and the stolen cannon and arms of the Republic were no sooner delivered up everywhere, than they were again taken out of the public stores by new sets of adventurers, eager for the lands of Canada, and the corn, wine, and oil of British plunder. But they reckoned without their host. One spirit of British honour arose throughout the Empire, and in the far corners of the London and Western Districts, the shores of Huron, St. Clair, and Erie, which had forgotten the echo of a warrior's tread, again became covered with armed men, animated with the one resolve, to drive the robbers into their Mediterranean.

Opposite to Detroit, the focus of the plundering hordes, the Canadian shores were guarded by about 3,500 brave settlers, under Colonel Radcliffe, who became well provided with the implements of war and

with provisions; and of this force the Six Nations sent from Delaware 200 Indian warriors, under Colonel Clench, who had long been connected with the Indian Department, and who knew perfectly how to manage and direct these civilized children of the soil.

Colonel Dunlop, a name perhaps as well known as any in Canada, commanded 650 fine fellows on the St. Clair frontier, and Colonels Askin and Hamilton kept up a continual line of cavalry expresses, so that every movement of the enemy was known and prepared for. But the horrors of invasion were not to visit this beautiful portion of Western Canada at this time; and Sutherland having absconded with what remained of the military chest, and his followers from Cleveland in Ohio, having placarded him as a cheat, after "raising the wind" themselves to relieve them from positive starvation, the camp broke up, and all returned to their homes, or to the employments they had left to realize a vision of conquest and plunder. And this was the more speedily effected when the Government of the United States found it was time to interfere; and as the Brady Guards and Militia of Michigan could not effect a palpable duty, on the 27th of January General Scott landed from the steam-boat Fulton, 300 men of the regular army, to preserve the neutrality of the frontier.

General Scott, leaving Colonel Worth in command in this district, returned to Albany, to take further measures with respect to the extended line of operations. And thus the month of January, 1838, passed off, in the west, without anything more occurring than much talk and many threatenings from Van Rensselaer,

Mackenzie, Sutherland, M'Leod, and other leading "Patriots," who were nursing the Borderers into a combined system of offence against British supremacy, by simultaneously attacking the whole frontier, of nearly a thousand miles in length, from Vermont to Lake Huron.

CHAPTER III.

The projected capture of the key of Upper Canada, Kingston, lately the capital of the Canadas, and the behaviour of the Militia.

THE reader has now arrived at a very curious portion of the history of the rebellion, when affiliated societies were forming in every section of the United States within a hundred miles of the Canadian frontier, and throughout Upper Canada, for the purpose of making a grand attempt, by the power of *sympathy*, to uproot British institutions, and supply their place with others founded on the bloody code of laws which the French Revolution had taught mankind ; and it was astonishing, to a person residing within the sphere of action, to observe the rapidity with which these secret societies were proceeding to carry out their views.

Even in the most loyal towns and neighbourhoods in Upper Canada, men who had never been suspected of wavering in their allegiance began to discuss the probabilities of a dissolution of the bond between Great Britain and Canada ; and such was the universal opinion in the States bordering on the Lakes of the certainty of such an event, that farms in Canada were played for as stakes, as securely as if they were represented

by money in hand. Diagrams, or outline plans, were made of the townships which were to be invaded, and the Patriots were to choose amongst themselves the farm-lots which suited them best; whilst Lynch-law would set aside, for ever, troublesome claims on the part of their real owners.

No pains were spared by that most indefatigable of all agitators, Mackenzie, to represent the certainty of success, and of the co-operation of his friends in Canada, who were represented as eager for the appearance of the Patriot hosts, and as well prepared to receive them with open arms and with cordial assistance.

In order to carry this game on successfully, it was necessary to employ numerous well-paid agents; who, under pretence of mercantile, or other business, traversed Canada from end to end; whilst Mackenzie himself, and other leaders, occasionally ventured to expose themselves to the gibbet by crossing the frontier.

The reader will recollect that Kingston was alone the dépôt of warlike stores in Upper Canada; and accordingly, Kingston, one of the most loyal towns in the province, and possessing the only fortress to which the rebel and brigand prisoners were always sent as soon after their capture as possible, was selected as the main theatre upon which the success of the invasion and occupation of Upper Canada was to be played off.

If I speak of myself more than is usual for a modest author to do so, in pursuing the subject of this chapter, the reader must forgive me; for I cannot go a-head, as the Americans say, without so doing in a sufficiently explanatory manner; and the conduct of the Militia

deserves, from one who knew them well, all that I can say as connected them.

Kingston is situated just opposite to that part of the State of New York where Lake Ontario, beginning to narrow its immense boundaries, divides itself into two channels, before these unite to form the Cataraqui, as the St. Lawrence was here called by the ancient Indian inhabitants.

The island which principally causes these two channels is called Long Island, and is crossed at its broadest or western end by a road nearly six miles long, to gain which from Kingston is a ferry of about three miles across the open roadstead called Kingston Harbour; and from Long Island to Gravelly Point, Jefferson's County, in the State of New York, is another ferry of about a mile in length.

These channels, ferry, and road are the ordinary mail routes from New York to Kingston; and in mid-winter the ferries are usually frozen over so solidly, that all the traffic for provisions and the mails are carried on and over the ice. Thus Kingston, being fronted by a solidly-frozen barrier, is more assailable at that period of the year than at any other; for, although the expanse of Lake Ontario never entirely freezes, yet, for many miles at its narrow end near Kingston, it has a solid coating in winter, so that an enemy can land far away from the guns and defences, both above and below the town.

Below the town the river commences; and, although very broad, is much broken by a continuation of large and of small islands and islets, known to travellers as the Thousand Islands of the St. Lawrence, the most picturesque and the most beautiful portion of its scenery.

After leaving Long Island, opposite to which, on the Canada shore, is another large one called Howe Island, the river gradually decreases in breadth, but maintains an expanse of open water, at the foot of these two large islands, of upwards of six miles. And here we reach the mouth of a small Canadian stream, called the Gananoqui, about sixteen miles from Kingston, where the frontier of the United States is not further distant than about two and a half miles ; then another large island, called Grindstone or Gore Island, begins, and occupies the centre of the St. Lawrence, leaving an equal expanse of water on each side towards Canada and the United States.

West of Grindstone Island, and within a very short distance of its shore, which is divided from it by the deep water channel (the boundary of the two countries), is a little islet called Hickory Island, belonging to Great Britain, but uninhabited, save by one poor widow. Hickory Island is therefore nearly half-way on the St. Lawrence between the British village of Gananoqui and the United States village of French Creek in Jefferson's Country.

Gananoqui is celebrated for one of the finest and largest flour-mills in Canada, driven by the rapids of its pretty river ; and which supplies flour in great quantity for exportation and home use.

French Creek is celebrated as the abode and rendezvous of British deserters, as the scene of Buccaneer Bill Johnson's exploits, and as a centre whence all the idle river and lake men find a home whenever war or rebellion needs their services in Canada, and whence the shelter of the intricate labyrinths of the Thousand Islands is always ready to afford harbour and security

to mail robbers and pirates. It was this delectable abode that was chosen as the head-quarters of General Van Rensselaer upon the second attempt of Mackenzie to invade and revolutionize Upper Canada.*

I was then in command of the Militia, and a respective officer of the Ordnance, as well as Commanding Officer of Engineers. Military men can fancy how one's time was employed. Night and day were the same; neither a season of rest, relaxation, nor of social enjoyment. The whole of Upper Canada, a thousand miles of frontier, had to be supplied with arms, ammunition, camp-equipage, blankets, and the numberless *et ceteras* incidental to a state of actual war.

The day was passed in reviewing, organizing, drilling and disciplining the Militia; in ordering great guns and little guns, bedding, cartridges, powder, flints, and firelocks; in strengthening the batteries and Fort Henry, bringing old sand-bags into use, which had rotted in oblivion of war. In mounting traversing platforms, and drying damp casemates, building ovens, and preparing safe places for the specie of the Commissariat and the Public Banks; in meeting the wishes of the rich inhabitants by providing bomb proof vaults to put their plate and deeds in, and in arranging secure places in the event of the worst; in palisading, picketting, drawbridging, and, in short, in all the pomp and circumstance of war, with an infinity of its littlenesses.

During the night, in visiting the sentries, forwarding dispatches by the express dragoons, listening to the fears of those who would not be quieted, expecting

* The Editor visited French Creek, in pursuit of deserters in 1843, found it as is here described, and made the acquaintance of the celebrated Bill Johnstone.

conflagration and murder and attack ; and in attending the meetings and conclaves of the energetic and excellent Magistrates (a quorum I, at least, shall never forget), who spared neither time, nor rest, nor health, nor comfort, to uphold the glorious cause of Britain,—thus for six winter months knowing not rest, either of mind or body. There we sat, truly by the midnight lamp, receiving the information of spies and informers, paid on both sides ; examining witnesses, receiving evidence, searching the suspected, granting passports, and often eliciting from people of the greatest respectability from the United States, almost an avowal that they were treasonable travellers. I shall long remember some of the magnates of Watertown, in Jefferson county, and I dare say the recollection will be reciprocal.

One of these gentlemen,—a man of consideration, and withal of property too, “Justice of the Peace, and *coram*, and *custalorum*, ay, and *ratulorum* too ;” but who could not say, “Master Parson, that he was a gentleman born, and could write himself in any bill, warrant, quit-tance or obligation, *Armigero*, any time these three hundred years, as all his successors before him had done,”—was brought before us, and had been boasting in the streets of Kingston, to an admiring multitude, that we ought to be dreadfully frightened at the preparation of our friendly adversaries.

Now this fellow—for I cannot in sober judgment, after several years of deliberate thinking, call him anything else—was a Peace-officer of the United States, in charge of an arsenal, which had been plundered under his nose, came over to Kingston upon the plea of mercantile business, and proceeded to Belleville, where,

or rather in the vicinity of which town, he had plenty of abettors. I saw through him at once; for I had been carefully informed of his designs, and I knew that he had brought another person of some military knowledge with him.

Before he left the town on his secret mission, which had been in the meantime well counteracted, I marched a body of the Militia, who had been clothed in uniform and excellently drilled, under the windows of the inn where this sympathizer and his military friend lodged; and, as if upon an ordinary drill, I made them practise street-firing. A friend of mine, who was casually looking out of the window with this military spy, engaged him in conversation.

"Are these the British Infantry?" says his colloquist.

"Oh no, not at all," observed my friend, "they are only the Frontenac Militia."

"Then if they are Militia," retorts the American officer, "all I can say is, they must be the *Regular Militia*."

Our sympathizing friends never made their appearance afterwards. The hint was sufficient—the *Regular Militia* was quite enough for them.

But Mackenzie had poisoned the minds of almost every man in the United States frontier; and such was the national border enthusiasm, that to resist the opinion of the free and enlightened citizens was a service deserving Lynch law.

It was fortunate for the poor loyal Kingstonians that they had such an enemy as Mackenzie. Had he been a man of resources, I have no doubt that harassing

would not have been his main weapon ; but he always puts me in mind of the quack doctor on the Boulevards at Paris, who says,—

“ J’ai guerrie le Roi de Terre Neuve,
J’ai guerrie le Roi de Maroc,
J’ai guerrie le Roi de Ninève,
J’ai guerrie dix Rois en Bloc,
Demain, je pars pour Constantinople.”

The power of the Queen of England was nothing to the agitator Mackenzie, and he too fatally succeeded by his displays on his platform, in drawing into his toils many of the aged and more of the youth of the American Republic.

To give the British reader some idea of the indefatigable activity of Mackenzie and his myrmidons, I shall mention two or three facts. The spies and informers, paid on both sides, kept up a very constant stream of intelligence. The Magistrates knew all the movements he was making, and thus were enabled to counteract them. At one time I was told, upon information which had never failed before, that Mackenzie was about to visit his relatives, who lived about two miles from Kingston, and I was in possession of the exact hour at which he would be found. I accordingly dispatched my two adjutants and a small well-armed party of Militia in two sleighs to apprehend him. These were all young men, and, with the natural vivacity of youth, they were too careless. They arrived at the farm-house, situated in a lonely place, as the night set in, and had gained the door unobserved and unheard ; but as they were entering, they ordered arms, and the clang of the butts of their muskets alarmed the inmates.

The door was opened after the Militia had duly surrounded the house, and they found two men from French Creek sitting by a blazing fire in the kitchen, whom they apprehended and brought to me; but their most vigilant examination was ineffectual after the object of their search, who had, after all, not ventured to visit the place.

After due searching and sifting, we discharged these men, who declared they had come over the lines to find work at wood-chopping. One of them,—a notorious villain, who had been confined in a prison of the United States for a supposed murder, or some equally heinous crime, and who was recognized by the authorities,—I told, that if ever I caught him again on this side of the lines I should hang him. He coolly thanked me, and lost no time in getting back to French Creek. It so happened that a few weeks afterwards he was taken prisoner on Hickory Island, in an attempt at invasion, and brought again to me. I suffered his fears to prevail, although Martial Law had not been declared in Upper Canada, and he confessed that Mackenzie did intend to visit his relations, and that he had brought a letter from him, for which he had been largely paid in dollar notes, but that the moment he heard the clang of the arms, he threw the pocket-book containing all evidence of his mission into the blazing wood fire; but that Mackenzie might have been easily concealed, as there was a large drain under part of the house which the Militia could not dream of. This man, a thorough rascal, afterwards was pardoned, and his wife and large family coming over to seek him, were taken care of.

Mackenzie made another attempt to visit his allies

in the townships in the rear of Kingston, and was very nearly caught. The ice had formed suddenly six weeks later than the ordinary season, and as he had numerous friends in the back parts of the townships adjoining Kingston, he proposed to pay them a visit, in order to concert measures together. With this view he got a sleigh and a span of horses from some of his sympathizing friends near Watertown, a town of the United States' frontier. A span of horses in America is what we usually call a pair. I soon heard of his intention, and had accurate information as to the time of his departure, and therefore immediately detached a small party of sailors under an officer of the Queen's Marine Artillery, who had commanded one of the lake steamboats and knew the localities well, to take up a position, after traversing several miles of ice, at the Lighthouse Point, where Mackenzie must pass either in going to or in returning from the shore of Canada, near Bath, where, under cover of some bold woody banks, he intended his drive across nearly twenty miles of the frozen waters of Ontario, to terminate.

Bath is a pretty Canadian village at the entrance of the Bay of Quinté, on the mainland, opposite to a fine island of Lake Ontario, belonging to Lord Mountcashel, called "Isle of Tanti," or "Amherst Island," and at Bath various roads lead to the interior of the Midland District.

The Bay of Quinté is a strip of Lake Ontario, contorted into all sorts of windings by the numerous deep bays and inlets of the Presqu'île of Prince Edward, the most picturesque and fertile spot in Western Canada, and inhabited by a race of loyal farmers, who have been

domiciled there from the times of the earliest settlements. On it Mackenzie knew he could not travel, as he was known, and would have been immediately apprehended. He therefore chose the mainland near Bath, because in that neighbourhood he had well-known allies, whose motions were, however, strictly watched.

The entrance of the Bay of Quinté is close to Bath, where the Isle of Tanti and other smaller isles form two rather dangerous narrow channels, called the Gaps, through which, in stormy weather, the whole force of Lake Ontario is thrown in tremendous seas, which frequently oblige the steam-boats to pause. In winter many accidents happen in this vicinage from the lake ice not being sufficiently strong, owing to the great ground-swell and agitation of the water, and it was by the Lower Gap that Mackenzie and his span of horses, nearly reached the Canada frontier, after passing wide of the Lighthouse, in a snow-storm,—and thus escaping certain doom from man, to run into a nearly equal danger from Nature.

Close to the completion of his hopes, achieved during a painful and alarming night, when the thermometer was unusually low and the ice promised at least a safe footing to his horses,—in a moment they were engulfed in the raging waters underneath; and how the man escaped with his driver is known only to themselves. They however managed to retrace their steps; and passed my look-out party, in a continuation of the snow-storm, which alone saved them.

At other times, spies from Lower Canada would arrive at Kingston; and either Van Rensselaer, or one of his reconnoitring party escaped, by almost a hairbreadth,

from a hut close to the Artillery Barracks, where he had ensconced himself. But after all, such was the loyalty of the inhabitants of Kingston that very few domiciliary visits were ever necessary; and these were made only to those on whom certainty and not suspicion rested.

But the accuracy and extent of the information obtained of all the hostile movements, within and without, was surprising, and such was the secrecy observed that even on some occasions the very Magistrates could not be informed by the Military officers of the circumstances, as the informers were men well-known as traders on the other side, or as people mixing freely and unsuspiciously in society, and were sometimes of such standing that the development of their information would have been fatal to their future fortunes.

At length the pent-up storm broke forth, and we were placed in clear possession of the views of the insurgents and of the brigands. These views were well arranged, and large quantities of arms and ammunition sent over, for the use of the rebels, from the State of New York. The plan, finally adopted in a General Council, was to attack Kingston, at three distinct points; to let the prisoners out of the Penitentiary; and to have a sufficient number of armed men within the town in order to distract our attention.

Belleville, at the upper end of the Bay of Quinté and its vicinity, the township of Sidney, afforded many specimens of furious revolutionists; and a road leading along the Bay through the townships of Thurlow, the Mohawk Settlement, Richmond, and near Camden and Portland in the counties of Hastings, Lenox, and

Addington and Frontenac, crossing at Napanee, the river of that name, had long been celebrated as leading through the heart of the country to which Bidwell, Perry, and other Reformers always looked as their chief stronghold in Upper Canada. Miscalculating upon this data,—which circumstances had somewhat changed, and yet in the main right, as far as some degenerate sons of the soil were concerned, whose fathers had owed all they possessed to the generosity of the British Government, on whose freely given land they had, as loyalists, settled originally, it was determined that the strength of the internal coalition of the rebels should be drafted from this quarter, for a night attack on the land or Toronto road-side of the town of Kingston, by assembling at a given point in sleighs, and then running on rapidly to connect the assaults from two other quarters.

One of these divisions of the Patriot army was from Watertown,* in the State of New York, which was to cross the ice above Kingston and attack it on its weakest side, near the Penitentiary, about a mile and a half west of the town, where some remains of the former forest still existed and afforded cover.

The third attack was to have been effected by the way of French Creek, whence a force was to be thrown on Hickory Island from Grindstone Island, and, after a feint upon the little village of Gananoqui, in order to draw as large a force as possible from Kingston for the defence of the mills there, to march along the borders of the lake, and attack the town on its eastern side.

* Where, in 1843, I found about fifty British deserters variously employed, and partly paid in liquor.—EDITOR.

Bodies of sympathizers, under pretence of market, or other business, were sent into the town, and took lodgings at different public and other houses, whilst one or two had enlisted in the Militia; and one, who was accustomed to blacksmith's work, was to spike the cannon in Fort Henry, and the outer magazine, full of Congreve rockets, was to be blown up. The town, also, in the *melée*, was to have been set on fire in various marked places.

Accurate notice of all these deep-laid schemes were, however, given from time to time, so that we barricaded the town (the picket fence of which had fallen into decay), and completely fitted up three block-houses, which commanded the different entrances, and placed the Militia in barracks, between these block-houses.

The day before the intended simultaneous attack, which was fixed for the 22nd of February, 1838, I despatched expresses to Prince Edward county, and directed several companies of Militia to put themselves in motion, so as to get in the rear of the rebels, who were to assemble near the village of Napanee, and also sent proper persons to Belleville, to watch the disaffected there, keeping all our own motions as reserved as possible.

One of my adjutants, Captain Cameron, was also sent to cut a series of irregular holes in the ice, on that side of the roadstead near Long Island, over which the brigands must drive their sleighs, and was directed to put the Long Islanders on the *qui vive*, to cover the frontier, and to destroy the mail-road, by cutting down large trees at intervals.

The Mohawk warriors had joined me the instant

they heard of the insurrectionary movements in their neighbourhood ; and, as I well knew the terror of their name would operate very forcibly, I had taken care to form them into patrols, under the guise of deer-hunting parties, in those situations where I was aware their presence would be alone sufficient to deter the rebels from appearing ; and, having approved of a dozen men being armed at Napanee, I stationed outposts, videttes of cavalry, and pickets, of both arms, everywhere round the town, within some miles.

Thus assured, we waited in perfect hope that the attempt would be made, as it must have ended disastrously to the invaders, and would have been the means of removing several very wicked and very troublesome persons from amongst us, who would have fled to the States, or have been arrested.

Just before the day, big with the fate of this rising city, we organised a regular system of signals from Fort Henry, by rockets and blue lights, so that the whole of the defending force knew exactly what to do ; and, having heard from the usual sources that a man, who was formerly a skipper, or master of one of the American barges, plying with wood on the River St. Lawrence, had enlisted as a private in the Militia, and was then doing duty in Fort Henry, and that he was a creature of Bill Johnson, the pirate, and was appointed to spike the cannon the night of the attack, to open the gates, and to blow up the outer magazine, in which the dreaded Congrevere-rockets were stored, I took up my night's abode in one of the casemates, and, without letting any

one into the secret but an officer, I sent quietly for my friend.

Upon questioning him as to whether he had given his real name when he enlisted, he appeared confused, but when I told him he was Captain so-and-so,—for all boatmasters are called captains in America,—he found he was discovered, and at once acknowledged the fact; but would proceed no further. This man had been long a resident in Canada, and unsuspected. I then sent for his box, in which some blacksmith's implements and nails for the spiking operation were found, and upon examination, we discovered the copper lock of the outer magazine forced, but not quite destroyed. Unwilling to damp the ardour of the brave Militia who garrisoned the fort, or to frighten the townspeople by stories of blowing up magazines, I quietly ordered the fellow's Militia-coat to be stripped off, and that he should be turned out of the gate, with a notice, that if he was seen in Canada again, no mercy should be shown to him.

This is the true version of a story which went the round of the American papers on the Border, that a Captain of the Militia had engaged to deliver Fort Henry, and its deposits of money and plate, into Mackenzie's hands!

In addition to all these constant sources of anxiety, the State prisoners who had arrived from the west afforded the Militia in Fort Henry constant employment, and many were the secret plottings and treasons which these misguided men carried on. I cannot pass over the excellent conduct of the mechanics and labourers, chiefly Irish, who had been employed on

the Queen's works, in finishing Fort Henry, and who, upon the first alarm, enrolled themselves as a guard for the fortress they had erected, and actually kept it, open and exposed as it was in its unfinished state, until the Militia could be embodied. These brave men also volunteered in the depth of winter, to be employed as a company of sappers for any purposes required at Navy Island, or anywhere in Canada. In short, every person in the Royal Engineer Department, and in the Civil Branches of the Ordnance armed themselves, and kept nightly guard over the immense dépôt of ordnance stores, and the magazines of powder outside of Fort Henry, and laboured all day long in removing the most essential into the New Fort, or day and night in shipping on board the steam-boats, cannon, mortars, rockets, muskets, accoutrements, ammunition, blankets, &c., and in attending upon the constant arrivals of troops of the line for the westward; amongst these devoted loyalists none was more conspicuous, or exerted himself more than the acting Ordnance Store-keeper, Thomas Gurley, Esq.

The *Traveller* steam-boat took up to Toronto on the 14th of January five companies of the 32nd, and was followed by the *St. George* with more, whilst the *Transit* was constantly plying between Toronto and Niagara. Such was this extraordinary season, this merciful aberration from the usual laws of Nature, that it enabled troops and stores to be sent to every threatened point,—thus preventing bloodshed and plunder and misery along a frontier of such extent.

The ice, and it is worth recording, only formed in Kingston Bay or roadstead on the 21st of January,

1838, six weeks after its usual period, nor did any person pass over it across the ferry line to Wolf or Long Island until the 22nd. The *Traveller* was then waiting for the troops from Lower Canada ; but her commander, fearing that she would be frozen in, started on the 21st for Toronto, with a cargo of ordnance and ordnance stores, and got as far as the Gap, when she was obliged to return to port with great difficulty.

Captain Markham, of the 32nd, who was so severely wounded at St. Denis, came up the river St. Lawrence from Prescott, to within twenty miles of Kingston, in the *Dolphin* steamer with one company of the 32nd and staff, and two of the 83rd, and had some difficulty in landing his men, five miles below Gananoque ; so sudden was the frost, and so intense ; for although the boats' sides were protected by extra planking of thick oak, yet the ice cut through them like sharp saws. Two sergeants and a horse broke in, whilst gaining the platform constructed for the men to reach the banks, and were recovered with difficulty ; another company of the 83rd joined him at Kingston next day, and the whole departed in ninety sleighs for Toronto, and the westward on the 22nd. Militia and regulars, regulars and militia were then constantly pouring into Fort Henry and Kingston ; on the 19th, thirty volunteers from the 3rd Leeds Militia, under Captain Bell, arrived also on their way to Toronto, to offer for general service, and the same day, the Perth Artillery, commanded by Captain Graham, fifty strong, marched into Fort Henry in full artillery uniform, and took the duty of that arm. I cannot too highly praise the

loyalty and zeal of this officer, who clothed this corps himself, and by the assistance of Lieutenant Hogg, a relation of the Ettrick Shepherd, soon brought it to such a state, that it could serve the garrison guns, manœuvre the field-pieces, and act as infantry ; a more excellent, steady, or respectable company of young men, all farmers' sons, and many of them wealthy, I never saw. They submitted to the common fare and accommodation of soldiers in bombproof barracks, as if they had been enlisted for that life and no other ; on the 20th, also, 110 Volunteers from Perth and Lanark, arrived on their way to Toronto, under Captain Frazer, and the Prince Edward Volunteers actually flowed in, in human waves, whilst another company of the 83rd arrived on the 23rd, and were followed by four more, bound for the westward.

I mention this to show the incessant activity of the Commander-in-chief, who was also Governor-general, upon the departure of Lord Gosford for New York ; and the zeal, loyalty, and devotion of the Militia, who marched hundreds of miles unprovided with blankets, or the proper conveyances, or clothing, to support the Queen's authority. It would extend the narrative too much to detail the names of the commanding-officers, or the designation of the Militia regiments, who passed through Kingston, to fly to the seat of war in the west ; but that the ordnance, and commissariat departments were kept in constant and laborious activity, may be inferred from the fact, that even the usual day of rest could not be obtained, and night was then the same as day. The acting ordnance-storekeeper of the time, as was before stated, was Mr. Thomas Gurley,

whose name and exertions will not be forgotten in that part of Upper Canada. But the demands upon the commissariat were equally onerous, and the mode in which they were met by the Assistant Commissary-general, C. A. Clarke, proved that twenty-two years of peace had not impaired one spring of the movement of that excellent branch of the service.

Day and night was the Commissariat-office open, and conveyance, rations, money, and advice supplied without intermission. The kindness with which that gentleman acted, the uniform support I met from him, his allowing me at the busiest times to make use of his own office, as a central place for the despatch of expresses, and the transaction of all the varied military duties I had to perform, are very inadequately thus recognized. He had to clothe, and provision, and pay immense levies in an extended district at a moment's notice, to settle the difficult claims of innkeepers, and persons providing transport; besides the constant fatigue arising from the multiplied official business connected with the sudden transition of the army, from a state of profound repose to one of actual service in the field.

But the time drew on when the machinations of the enemy were to be perfected. It was infinitely more formidable than has been believed. Four simultaneous movements were to be effected; one from Detroit, in Michigan; one from Sandusky, in Ohio; one from Watertown, in New York, upon Kingston; and the other from Plattsburgh and Vermont, upon Lower Canada.

That from Detroit was commanded by the traitor, *soi-disant* Adjutant-general M'Leod, and took possession of a small island in the Detroit River, on the Canada side, but was soon dislodged by the British cannon, on the 24th of February, 1838, and escaping to the United States, were disarmed and dispersed there by the authorities, under General Brady ; General Scott having arrived at Monroe to effect this on the same day.

Of the Sandusky expedition, under Sutherland, we shall speak more at large when describing the action at Point Pelée Island. But the 3rd and 4th were more serious ; and of the third we shall speak last.

The fourth expedition was headed by Drs. Nelson and Cote, and actually penetrated into Lower Canada, from a small island and other places near Alburgh on the Vermont frontier, crossing from Alburgh to Caldwell's Manor, after encamping for the night about two miles within the boundary.

Finding, however, that Sir John Colborne had directed a strong Regular and Militia force against them, and that General Wool, of the United States' army, had also proceeded to intercept them, they dispersed, after surrendering to that officer six hundred men, on the 1st of March, at one mile north of the Alburgh Springs in Vermont, with all their cannon, small arms, powder and ball,—General Wool having previously captured one field-piece and nine sleigh-loads of gun and musket ammunition. At this time the British troops, consisting of the Royals, under Major Warde, the 43rd, under Colonel Booth, and Militia, with the

Mississiquoi Volunteers,* had arrived within six or eight miles of the camp of the invaders.

General Wool detained Nelson and Coté, to deliver them over to the civil authorities ; and thus ended three of the simultaneous invasions of Canada.

The fourth was equally disastrous to the Republican Patriots, and was directed against Kingston, and commanded by Van Rensselaer and Mackenzie.

I have already described the intentions of these heroes and their plan of attack. They had the foolhardiness, however, to make the move, but differently from their original intention.

I was endeavouring on the night of the 21st of February, 1838, to take a little rest upon an iron barrack bed, in the Tête de Pont, when a Militia officer from Belleville roused me in the middle-watch, by saying that he had ridden posthaste to announce that the rebels had commenced their march on Kingston, and that he had left the Militia in arms, in Belleville, and the tocsin still ringing. I had, however, better information than that given by this ardent young man, and therefore very much disgusted him by telling him that it was very likely, and requesting him to let me get a little rest.

The Prince Edward Militia were actually then, which he did not know, on their march in rear of this very movement, and so paralyzed the rebels that but few prisoners were taken near Napanee, as the body of insurgents dispersed and hid their arms and ammuni-

* A highly-flattering letter was written to Colonel Jones, of the Frontier Militia, by Major Warde of the Royals, who gives the Militia and Volunteers high praise on this occasion.

tion in the wood. Some of the latter was discovered; and they intended to kill us by wholesale, for, not contented with mere cartridges with a ball and powder, each cartridge had a ball with three deer or buck-shot over it, so that the wound made would be very dangerous.

Amongst the prisoners taken was an American armourer, or manufacturer of rifles, who had carried on a snug trade at Belleville, and this aspiring gentleman had a complete kit, compass for the woods, bowie-knife for close action, rifle, &c. &c.

I reserved a sharp steel axe from the military stores captured, because it was so well-tempered that it was evidently intended to hew the way through our picketing and barricades. The rest of the extraordinary missiles and arms are, I dare say, to this day in the Ordnance store at Kingston, and were of the most destructive kind.

It was melancholy to find amongst these prisoners not only American citizens, but subjects of the Crown, whose fathers had always been loyal and who owed everything they possessed to the Government. But Bidwell and Perry had been the oracles of these poor deluded people, and they had been fully persuaded that a country wherein they lived on the fat of the land, flowing with milk and honey, literally without taxation and enshrined in peace, was very hardly dealt with, because it could not have heavy local taxes, continued political excitement, eternal elections for the most trivial even of public employments, and the name, without the essentials, of equality and freedom. It was vain to argue with these men; each little district

had had its republican oracle, generally an American, or of American descent ; and although the Government and every British officer dealt kindly and leniently by them, they left the State-prisons of Kingston as thorough Radicals as when they entered them, but, I am happy to say, have since seen their folly, and freely confess it, with few exceptions. Such is the perversity of human nature,—for of all the districts of Upper Canada, that from which they came is the best, the most fertile, and scarcely knows the existence of poverty.

The internal advance having been thus easily quashed, it was not much more difficult to settle the others. The town of Kingston, before the 22nd of February,—the day appointed for the attack,—was filled with strangers ; and such was the excitement caused, that everybody remained awake that night. I was snatching a slight refreshment at dinner, just as the dark of evening set in, when a sergeant of the Marine Artillery rushed in, and in haste informed me that the Eastern attack had commenced, and that the rebels were in sight. My house, being separated from the town, was guarded by a party of sailors ; and, after confiding everything dear to me to their charge, and desiring them, in the event of the worst, to retire through the garden to the block-house near us, I put on my sword and ran down to the Artillery Barracks, between my house and the town, giving directions to a picket of Marine Artillery by the way, and then hastily visited the Commandant, who directed me to shut the Artillery gates, and desire his little guard of a dozen men to defend them until the Militia could reinforce it.

On my way through the town, all was alarm and anxiety ; and, after reaching the Tête de Pont Barrack, and calling out the excellent First Frontenac Regiment, we prepared for the worst. The alarm was, however, premature, and I had time to issue the necessary orders ; to strengthen the cavalry pickets ; to send out parties ; to place all the steam-boats at the wharfs in security ; and to march to the threatened points. Never was such a night known in Kingston. Not a soul slept ; fire and sword were momentarily looked for.

We had received, through the Magistrates and secret sources, accurate intelligence of the foe. Within and without, every avenue was guarded ; and the Commandant, the excellent and lamented Lieutenant-colonel Cubitt, of the Royal Artillery, suffering under a distressing internal complaint, which soon afterwards destroyed him, shut himself with the picked men of the Militia in Fort Henry, and took such means, even if we were defeated, as to ensure that vital point.

To paralyze the sympathizers in the inns and lodging-houses, who, I feared, would set fire to the town, and distract our attention, I took a strong guard of Militia, visited every suspected house before midnight, and, upon pain of death, forbade the inmates to leave their abodes. In one house alone, I knew there were from forty to fifty Americans, well armed. Constant alarms prevailed throughout the night, which was one of the most severely and intensely cold of the whole winter (27 degrees below zero) ; but, from the precautions adopted, and our well-disciplined force, the brigands were afraid to venture farther than Hickory Island, where they ensconced themselves ; whilst, on

Grindstone Island, and at French Creek, they were strongly supported.

We had dispatched the Belleville Riflemen (a corps of young gentlemen), and a strong force of Indian warriors, to reinforce Gananoque, under Major Fitzgerald, Town-major of Kingston, an old and experienced officer; and such were his efficient measures, that on the first token of advance towards Hickory Island, the Patriots fled, leaving behind them some stores and ammunition. Van Rensselaer, Bill Johnson, and Mr. Wells, a Member of the Upper Canada Parliament, narrowly escaped. The arms were rifles, muskets, and fowling-pieces, and the cannon were to be served with a murderous selection of broken pieces of iron, double-headed shot, &c.; many of which implements came into my possession.

An occurrence or two happened that night which will serve to show the zeal of the Militia. I had ordered that no person whatever was to pass the outposts for several miles round without a passport, the parole, and countersign. The mail with four horses, from Montreal, dashed on to the bridge at Kingston Mills, over the Rideau Canal, and was ordered to halt by a Militia sentinel. The driver paid no heed to the repeated order. The sentry plunged his bayonet into the breast of one of the leaders, and soon brought the covered sleigh, which contained several people, to a stand-still. Complaint was made to the Deputy Postmaster-general; but the man was promoted, and the Government would afford no redress.

An alarm occurred during the night, which rendered it necessary for me to order the men who had remained

clothed and armed in their barracks upon parade. I ordered them, by lantern-light, to load, and made a short speech, telling them the time was come. One man in the front rank, as I was speaking, discharged his musket in my face, and was immediately taken to the guard-room by his indignant comrades. After everything was settled, I went to him, and having asked him what were his motives,—“By jakers!” says the honest Hibernian, “Colonel, I was full of fight, and could not help it.” And so it was; for I knew him well, and am certain that nothing but his overflowing honest enthusiasm caused the accident.

Amongst the prisoners taken at Hickory Island was my friend, whom I had captured on his mission from Mackenzie at the farm in Pittsburgh, and who had been threatened with the gibbet if he returned. When he was marched across the ice to the State-prison, I observed him falter; and having directed the prisoners to halt until I could get rid of an overcurious crowd, he and the others prepared themselves for being shot by the escort. He told me afterwards, that so fully was he persuaded that I was about to settle accounts with them, that they never were more happy than when the order to march on again was given. Such was the American sympathizer's notion of a British officer's justice. What should we have had to encounter if such men had gained the day? Witness the shades of poor Weir, Chartrand, Johnston, Hume, Ussher, and those worthy officers and private soldiers, sailors, and militiamen, who fell either in battle with the brigands, or died under the hands of the secret assassin. Cruel death in cold blood was often aggravated,

" Upon whose dead corpse there was such misuse,
Such beastly, shameless transformation
By those " Patriots " done, as may not be,
Without much shame, re-told or spoken of."

It may be asked with respect to the projected attack upon so strong a place as Kingston, what the means of the Patriots were. Persons who could be depended upon informed me that the whole frontier opposite, for many miles, exhibited a nightly scene of assemblages of men in arms, and we knew that the United States' Arsenal at Watertown had been broken open on the night of the 19th of February, and from six to eight hundred stand of arms taken from it, whilst five pieces of field-artillery were at French Creek. These arms were first deposited on Saint John's Island, a few miles below Kingston, and I sent a party of Riflemen under Captain Saunders to search for them; but after using every exertion, they could not be found, and I believe the mistake arose from an error in the name of place of deposit.

The introduction of arms and ammunition into Canada for the use of the rebels was so well devised and executed, that but little of either was ever discovered. I obtained, after the dispersion of the rebels on the Napanee-road, near Shannon Ville, a sleigh-load of ball-cartridge for rifles and muskets, with bullet-moulds and bullets, a keg of fine powder, three boxes of percussion-caps and greased pellets, one United States army musket, and various other warlike stores. There was brought in, hid in the woods, an immense number of cartridge havresacks made of cotton, filled with rifle and buck-shot cartridges to a very great extent.

They were discovered by a boy. The powder was introduced in kegs resembling oyster-kegs, and real oyster-kegs were placed so as to deceive the searchers ; but in such an open frontier it was impossible to be everywhere.

It is time, however, to turn to the Militia and their conduct again ; and I am persuaded that but for their loyalty and perseverance, we should have had difficult work cut out for us. Sir John Colborne, Governor-general and Commander-in-chief, was pleased to evince his confidence in the bravery and loyalty of the Kingstonians and the adjacent districts, by directing the march of the regular troops upon Toronto, Niagara, the London and Western districts, and leaving the key of Upper Canada entirely in possession of the Militia, one company of the Royal Regiment, under Captain Going, having only been sent to our assistance after the projected attack. It arrived at Gananoque just after the dispersion of the sympathizers.

The troops present at Gananoque of the Militia were commanded by Major Fitzgerald, Town-major of Kingston, and consisted at first of not more than 150 men, and were composed of a company of Perth Volunteers, under Captain Fraser, and one of Leeds, under Captain Webster. But assistance having been loudly called for on the advance of the Patriots from French Creek, a number of Volunteers from Langdowne, under Mr. George M'Kelvy, with Colonel Hartwell, of the 6th Leeds regiment, and Major Arnold, of the 5th Leeds, soon arrived, and from Kingston we sent the Belleville Rifles, under Captain Murney. One company of the Frontenac, Captain Cowan ; Lieutenant Jackson, with

a party of Indian warriors, and some Cavalry, under Lieutenant Raynes; and a six-pounder of the Perth Artillery, Lieutenant Robinson; whilst from Brockville a company of the Queen's Own Rifles, under Captain Kidd, and Captains Chambers, Gilbert, Stewart, Earl, Armstrong, Robinson, and Neil, of the 6th Leeds, with as many men of their respective companies as could be hastily collected, poured in. Captain Charles M'Ewan, from Charleston, with P. Anderson, Esq., and ten fine young lads, also arrived after a tedious march; and in the evening of the 22nd, Lieutenant J. Elmsley, of the Royal Navy, who had so much distinguished himself at Navy Island, came in with a party of sailors from Brockville.

Lieutenant Elmsley went immediately in advance, and took post opposite the Patriots on Howe Island; and Lieutenant Raynes, of the Frontenac Dragoons, with Mr. William S. M'Donald, of Gananoque, and a small party of cavalry, soon followed the gallant naval-officer towards Hickory Island, which, at about four in the morning, was found nearly evacuated; but several prisoners were taken, as well as persons coming from the American shore to join the pirates. Mr. Charles Hepp, a Volunteer, and Mr. Gilmor, distinguished themselves by capturing two of these people in arms.

The Royals under Captain Going, on their march to Kingston, arrived during the day, as well as O. R. Gowan, Esq., M.P.P., and a number of Volunteers from Brockville.

Many intelligent people were afterwards examined; and it is but justice to add, that at French Creek there

were respectable men who wholly disapproved the measures of Mackenzie.

On the 22nd, the day of the projected attack on Kingston, there were no fewer than 3,000 sympathizers in arms at French Creek, and it was well ascertained that there were muskets and rifles for this number, as well as six pieces of artillery, and plenty of ammunition and provisions, whilst every person was arrested who was suspected of going over to Canada to give intelligence.

The move on Hickory Island was made in order to date and sign the officers' commissions from the Canadian territory, and the number of claimants was ludicrous. One British prisoner was escorted there by a colonel, two captains, and a lieutenant. When they arrived on this islet, their numbers were about 500, the rest remaining in reserve on Grindstone Island or the American shore, with which a constant communication was kept up, as well as with the Canadian side; and as it was soon known that Kingston was well prepared, that it could even spare guns and men to defend Gananoque; that the Militia were pouring into that village, and that the Regulars were on their march from Montreal, their courage cooled, and they deserted by scores. When the muster-roll was called for an advance on Kingston by the ice,—which march being contrary to his instructions, Van Rensselaer was the only dissentient to,—only eighty men answered, and of these at last only forty-one would march. The General swore at, kicked and cuffed them, and there was a regular set-to. W. B. Wells, who resided in Upper Canada, not far from this scene, and was an

ex-member of Assembly, was a principal leader, but the prisoners saw him lying drunk on a bed and incapable of action. He had always been one of Mackenzie's partizans.

The Patriots then thought it best to depart before daylight appeared, and the prisoners counted 110 men go off the island in their sleighs, taking three field-pieces and most of their stores. It appeared also that they expected an attack from General Scott, or Colonel Worth, and therefore Van Rensselaer had urged his men on before they were ready to proceed into Canada. Van Rensselaer and Bill Johnson joined Mackenzie at Watertown; and thus was broke up the fourth simultaneous attack upon Canada.

I shall merely add a notice or so from the public papers, to show the zeal and efficiency of the Militia at this epoch, after only little more than two months and a half of practice.

From the *Kingston Herald* (Whig paper) of February 27th, 1838:

"The Marine Artillery have been exercised for several days in field practice with their guns. The whole party, formed into companies under their respective Captains, were drawn out with four pieces of artillery as if to repel an advancing enemy, throwing out skirmishing-parties in their progress, taking up a position, and forming and firing to cover the guns in action. The discharges of musketry were rapid, and the guns were well served, giving ample proof that they could do good execution on an enemy. Nearly three months of such training as they have had, and under such good command too, have made them a *real* defence,

instead of a nominal; a truly efficient force for any purpose of peace or war.

"Yesterday afternoon the Militia force in this garrison, including the Cavalry, the Indians, the Artillery, and Infantry, was again reviewed by Lieutenant-colonel Bonnycastle, and a noble appearance they made. The glittering line of bayonets, three deep, extended the entire length of Store-street on their march; and there was not only the *materiel* but skill and power to use it. If *Brother* Jonathan wants a battle we are 'ready, ay ready.'"

This extract has been made for two purposes; first, because the *Kingston* or *Upper Canada Herald* is a Whig paper, under the guidance of Wesleyan Methodists, and has figured and still figures in the ranks of reform. Second, because it does justice to the Militia, and shows that Colonial politics, violent as they are, do not always either make traitors or patronize those sorry birds who defile their own nests, and will elucidate a good deal of what I have to say about Canadian politics hereafter. But in order that the reader shall have both sides, see what the *Kingston Chronicle*, a Conservative paper of that day, in the interest of the Scotch church, says:

"We were on Thursday last highly gratified at the grand spectacle presented in the assemblage of the whole Militia force on duty in this garrison, on parade, on the commons in the neighbourhood of the town. This Militia force was inspected by their Commander. They made a good appearance, and seemed in excellent condition to receive any sudden visit from our *sympathizing* friends on the other side of the line.

"The uniform appearance of the men, and the respectable improvement they have made under those able drill-officers, Cameron and Bate, was highly creditable; for it was indeed at once gratifying and surprising to witness the precision with which they went through the several field manoeuvres which they executed, and the firing could not be surpassed.

"The brigade took up a commanding position on the height west of No. 3 Blockhouse, overlooking a natural inclined plane, leading to the Lake shore. The movements commenced by a company of skirmishers, who covered the line some two hundred yards in front, on the declivity overlooked by the line. They were sufficiently retired from the brow of the hill to prevent their being seen, until the supposed enemy should be at close quarters. The skirmishers fired, retiring until they ascended the hill, when they closed to each flank, and formed rallying squares, apparently a defensive attitude. Then the field-pieces opened the ball effectually. The infantry retired, followed by the artillery, covered again by the skirmishers. The line re-formed in rear. The light-infantry filed off by the flanks, when a very rapid and incessant fire was kept up along the whole line from both infantry and artillery; the cavalry in rear. The line advanced at the charge, artillery posted on the right and left, cavalry on the flanks. The infantry halted, and the cavalry made a dash, that even without pistol or sword in hand must have overwhelmed an ordinary enemy; after which squares, close columns, and lines were formed, much to the admiration of nearly all the inhabitants of Kingston, who were viewing the interesting spectacle, in which

not one single officer of the line was engaged, excepting the gallant and worthy inspecting officer.

“We may mention further, that the officers of the Royal Artillery, of the Royals, and of the 83rd Regiments, who were observed to take great interest in the review, were heard repeatedly to express their admiration of the steadiness and excellent state of discipline of the men.”

Perhaps these extracts may savour of egotism or vanity, but I do not feel the former, and have seen too much of life to have more than man's lot of the latter; but I am proud of the Canadian Militia, and shall not easily forget that the last time I commanded them when reviewed by his Excellency Sir George Arthur, the noble 83rd Regiment, one of the finest bodies of young men in the service, marched with their gallant Lieutenant-colonel, the Honourable H. Dundas, upon the field, with colours flying, and preceded by their fine band, to take voluntarily their place upon our left.

The Colonel, who was Commandant of the Garrison, had never in the slightest degree interfered with my Militia arrangements or command, and on riding up to me,—his junior officer, then only, too, a Brevet-Major in the army,—he said, “Colonel, although the Governor has ordered this merely as a Militia review, will you allow the 83rd to follow your manœuvres?” Such a compliment sank deep into my heart and into that of every Militiaman present, and although a series of difficult manœuvres for us were rapidly gone through, such was the enthusiasm inspired by this compliment, that every Militiaman prided himself upon his accuracy

and steadiness, and not a mistake was made, even of the most trivial kind.

Farewell, gallant men,—I have given elsewhere as correct a list as I retain of the names of your regiments, corps, and leaders. England need not fear for the safety of her Canadian possessions, whilst 80,000 equally loyal, equally ready, and equally steady soldiers, are the children of the Upper Canadian soil.

Nor are the Magistrates, those untiring men who so mainly saved Kingston from the horrors of midnight conflagrations, of secret, and of open war, to be forgotten. Day after day, night after night were they occupied with examining the sympathizers, who hourly crossed; with taking effectual measures against external and internal foes, and in receiving information and evidence; in providing for State-prisoners; in arming and disciplining a Police and Town Guard, and in the thousand ways in which active and zealous Magistrates are called upon to work in troubled times.

Of these gentlemen, I was most intimately employed with Mr. Nickalls, the Clerk of the Peace of the Midland District, with Mr. A. Pringle, J.P., and with Dr. Sampson, who was Mayor of Kingston, and who commanded the Town Guard and displayed an example which was speedily followed by all the young gentlemen of the Bar, the Medical Profession, and indeed in every degree and class in life at Kingston.

Many, many were the midnight consultations, the sudden dispatch of cavalry, the deep conclave over the lamp for the public good, which these gentlemen held; to their unceasing care and vigilance the fact of the escape of the town from conflagration may solely be

attributed. Musket in hand, incessant patrols were kept up, and no incendiary could well have carried on his diabolical practice. It was often threatened, but never performed. The unanimity with which all the Magistrates, and many others I could have mentioned, (but they chiefly did their duties as Militia officers) met the Military authorities, will not be forgotten by any of us,—and although the wear and tear was great, the excitement and the certainty of meeting support were such that I never hesitated to seek their support and advice, let the time or the hour be what it might.

Colonel J. Fraser, and Colonel Mackenzie, the Magistrates from the Bath side, must not be forgotten, neither must the present Mayor of Kingston, Mr. Counter, nor Dr. Baker, nor Mr. Mowat; but it is useless to go on, lest I enumerate the whole bench of ninety names.

And let me turn to the brave warriors of the Indian woods,—those Mohawks, who, when the United States was a British Colony, lived in the happy valley of the Mohawk River, to which the fictitious Wyoming was as the snows of Nova Zembla are to the Hesperides.

They left their happy valley, because Republicanism superseded the Government of their great father. They followed Captain John, their war-leader, and received from the King a grant of a large township in the Midland District of Upper Canada; in which they have ever since dwelt. They were members of the Church of England, and brought with them the altar-cloth and communion-plate of their beloved church, which they still retain in the sacred edifice built for their worship in the Indian woods.

These unsophisticated forest-rangers, as soon as they heard that their enemies threatened once more the British dominion, harnessed their little wagons, and leaving only the women and children, the feeble and the aged of their tribe, drove into Kingston, ninety in number, with the old Union Jack proudly floating over them, to offer their services to me.

I was delighted, but not surprised ; Indian gratitude was no stranger to my feelings, and as soon as I saw the venerable chiefs and the young athletic warriors halt opposite to my house, I summoned them to council. The scene was an interesting one. My parlour was occupied by a circle of these red men squatted on their hams, passing the pipe of peace and fellowship, and in the quiet sententious manner of the Indian they, after the usual and indispensable ceremonies which filled the room with tobacco-smoke, but not with noise or clamour, declared one and all that they were ready to die for their great mother the Queen.

We put them into barracks and supplied them daily with food, and apportioned their duties. No violence, nothing that unaccustomed Europeans might anticipate from the untutored savage, ever occurred ; the services they rendered were important, and they were amply repaid when all was over, by a few yards of cotton, a few silk handkerchiefs and ribbon of gaudy colours for their wives and daughters, with a good rifle or two for the chiefs, some tobacco and powder for the hunters and warriors, and a few pipes.

They were urged to accept the usual pay of Militia ; but chief and warrior alike rejected the proffered boon. " We came to fight for our mother across the Great

Lake: we want not to be paid. If she thinks well of us, good!" And so they returned to their simple forest homes.

But before they departed a great ceremony was to be done: the war drama was to be completed by making their friend a chief of that Mohawk nation which had never known disloyalty. I selected the Court-house as the scene, and a curious scene it was—one of the shifting scenes of the great drama of life. The ladies and gentlemen of that rising city, lately the capital of Canada, assembled; and after many acts had been played commemorative of the events which the nation had shared in, I was led forth in full regimentals by the Indian master of the ceremonies, and with the utmost gravity had to dance the war-dance of the tribe, to smoke the calumet of peace and fellowship, and to declare my willingness to become a chief; then to go round the circle of grim warriors squatted on the ground, and to shake hands with every individual, to take a whiff of the pipe with each, to distribute a few glittering presents, and to be saluted as Anadesc, "the chief who summons the town."

This chapter shall be concluded, I am determined, by a poetic effusion,* which, as it is the work of Lieut.

- "Cold blew the blast, and hard froze the night
Of the threat'ned attack, we all may remember;
But the sons of Old England stood firm in their might,
For bent was each breast to make no surrender.

Our gallant commander* the mischief foreboded,
In our fortress that night was determin'd to stand;
The slow-match was burning, the guns were all loaded
With grape-shot and canister by his command.

- Lieutenant-colonel Cubitt, Royal Artillery.

Hogg, of the Perth Artillery, formerly a sergeant in the Royal Artillery, now a barrack-master in Canada, and a near relative of the Ettrick Shepherd, shows that

Our bold Commandant,* both fearless and daring,
A son of the brave old 'Ninety-and-twa,'
His eye like the eagle's, his soldier-like bearing,
Bespoke him the veteran of time that's awa.

The banner of Albion was then proudly waving
O'er her sons who all rallied in gallant array,
Fort Henry's proof-ramparts her bull-dogs displaying,
Well mann'd with stout hearts from Perth-upon-Tay.†

The brave Second Lennox, forsaking their farms,
Came down under Fraser,—a blade firm and true;
His orders that night were to rest on their arms,
Which show'd a bright spark of the true British blue.

M'Gregor and Beach, they each had their stations,
Determin'd to stand or to fall in the fray;
The Frontenac thus to be led by their chieftains,
Rob Roy was the watchword, and Britain the sway!

The last, though not least, the Marines ‡ of Britannia,
Whose bomb-ships in battle have never been slow;
Their thundering metal has given many a
Lesson to the proud spirit of Albion's foe.

And now that the Rebels have all been defeated,
And each gallant heart to his home may repair,
We will never forget how well we've been treated,—
With hospitality, kindness, and fostering care.

Bonnycastle, thy name shall be dear to us ever,
'Till life's warm streams shall cease here to flow,
May Providence grant thee a long life, and never
May the clouds of adversity over thee blow.

* Major Logie, formerly of the 92nd.

† The Perth Artillery.

‡ The Queen's Marine Artillery (Canadian Lake Seamen) officered chiefly by officers of the Royal Navy, a most efficient, formidable, and excellent body of men.

the old thistle still points her spines at the foes of Britain when transplanted into another soil, if it shows nothing else. It was sung, extempore, by him at a public dinner at Kingston, at which Mr. Vail, of the United States, was present, who had been sent to the Government in an official character.

The conduct of that excellent and venerated Roman Catholic Bishop of Kingston (Regiopolis), McDonell, then in very advanced age, and very infirm, should not be forgotten. He inculcated daily amongst his flock that devoted loyalty which had marked his whole life; and well that flock responded to his call. But his life was in danger from pursuing so manly and upright a course; and the sympathizers having threatened to burn his house, and to pursue him with their utmost vengeance, the 1st Frontenac Regiment took him into their barracks, and vigilantly guarded his person whilst that danger lasted. And to show how much he was esteemed by persons in every rank of life in Upper Canada, and of every creed, the last act of his ministry, before he went to Scotland to die, was to lay the foundation-stone of a Roman Catholic Missionary College in the park of Selma, his personal estate at Kingston, in the autumn of 1839. I witnessed this interesting scene; the venerable man was supported by two Protestants,—one the heir to an Earldom, the other a Lieutenant-colonel in the Army; and Dr. Rolph, the Emigrant Agent, pronounced an oration

Now my brethren in arms, you've all done your duty,
True and firm to your faith in our young Virgin Queen,
The bright gem of Britain will smile in her beauty,
When she thinks of this country, still loved, tho' unseen. "

upon this the evident closing labour of a life devoted to Upper Canada and its interests.

I mention this, both out of respect to the Bishop's memory, and to show that, unlike the state of another colony, Newfoundland, the creeds are not in such violent collision in Upper Canada,—that the peace of the colony and the well-being of society have never been endangered by the professors of either belief being politically hostile,—and I trust that a better state of things is now rapidly occurring in the last-named place.

This poetry, the effusion of an honest and well-meaning heart, is one of the many instances of kindly feeling that I have experienced from those who, although exposed to every privation, very many being the sons of wealthy landholders or the landholders themselves, merchants, and gentlemen, never gave me the slightest trouble, and, what is more, never gave me reason to hold a Court-martial. Such were the Militia of the Midland, Hastings, Johnstown, and Eastern Districts of Upper Canada; and after several months of active duty, I took my leave of them in more serious mood than the winding-up of another song by a Canadian officer, which ended thus:

“Now to wind up my ditty, too long,
Let's hurrah for the Province and Queen, sir,
And whenever the 'Patriots' next come,
May we be with our Colonel again, sir.
Right fol de rol, &c.”*

* From an extempore song at a public dinner, by Lieutenant Hill, a highly-respected barrister of Kingston.

CHAPTER IV.

The subsequent Invasions and disturbances in both Provinces,
in 1838 and 1839.

PARLIAMENT, which had been summoned at an earlier period than usual to meet the exigences of Canada, decreed the abolition of the Lower Canadian Legislature, and substituted the rule of a Governor and Council; and Her Majesty entrusted this important Government to His Excellency Lieutenant-general Sir John Colborne (Lord Seaton), until a civil officer should be appointed to succeed Lord Gosford. Troops were despatched in all haste from home, and the neighbouring provinces spared all they could send. Military vigour was now at once apparent, and barracks and fortifications began to rise at every point which required observation and control, Martial law having been declared in the rebellious districts in Lower Canada.

But one of those expeditions to which we have alluded, for a simultaneous plan of attack on Canada with that on Kingston, having been by some unforeseen circumstances delayed, was undertaken towards the latter end of February, but not before the Regular

troops had reached the Western District. The "Patriot" force from Sandusky Bay and the neighbourhood of Detroit, moving across the ice, took possession of Fighting Island and Point Pelé Island; the former a small strip of land in the Detroit River, the latter opposite Point Pelé in Lake Erie, above and below Fort Malden, or Amherstburgh, the true object of attack. The leaders of this daring exploit were Sutherland, a person named Mackenzie, and, as some averred, Dr. Duncombe, who had fled from London, and had stolen the arms sent from Dearborn for the American Militia at Detroit, which had been left all night without a guard at a railway station.

The Canadian Militia, hearing that these desperadoes were assembling at various points, and that they boasted of being able to raise 1,500 or 2,000 "Patriots," assembled for the third time for the defence of their frontier, which was also now guarded by six companies of Regulars, seven pieces of artillery, and about 600 Militia, at Sandwich, Windsor, and Moy, all points of the coast much exposed. The first descent was made on Fighting Island, nearly at the same time as that on Hickory Island; and it was taken possession of probably with the same view of dating the proclamations and officers' commissions from British territory.

On the night of the 24th of February, Major Townsend, of the 24th, who had the local rank of Colonel, reconnoitred the position from Petit Côté with the St. Thomas Volunteer Cavalry, and examined the ice. He found that Colonel Elliot, of the Militia, who commanded at Sandwich, had returned from a similar demonstration with the Militia and Volunteers to pre-

pare for an attack upon that place, and then he determined to recall that officer, and to attack the brigands at once with his men and with Captain Browne's company of the 32nd, Lieutenant Kelsall's of the 83rd, and Captain Glasgow's nine-pounder and detachment of Royal Artillery, which joined him at half-past six on the morning of the 25th; and at seven, Colonels Elliott and Askin, with about 350 Volunteers and Militia, arrived.

Captain Glasgow immediately opened a fire on the brigands, who were observed in great numbers on the ice and on the island, with great effect; the precision with which the gun was served forming a subject of laudatory notice in the official dispatch. The ice was so uncertain, that it was supposed impracticable to advance; but a place was found below the island at which Major Townsend, by marching in single files, achieved a landing.

Captain Brown kept on the outskirts of the island, facing the American shore, to intercept the retreat of the pirates; and Lieutenant Kelsall, with the 83rd, moved on in extended order, flanked and supported by the Militia, through the low woods. The Patriots, however, contrived to decamp, and forming on the American shore, bravely fired by platoons upon their conquerors, who could not follow them without "violating" the ice and soil of the United States. They left behind one field-piece, muskets, rifles, pistols, swords, powder, shot, and provisions of every kind. The muskets were perfectly new, and belonged to the Ordnance stores of the United States army.

Major Townsend gave just praise to Colonels Elliott

and Askin, of the 2nd Essex Militia ; to Captain Erma-tinger, of the St. Thomas Volunteer Cavalry ; and to Lieutenant-colonel Prince, who, though not in command, was conspicuous as a Volunteer. He also mentioned with great praise Captain Glasgow, of the Royal Artillery, and the alacrity and zeal evinced by the Militia and Volunteers, and stated, that such was the steadiness and order evinced by them, that he only regretted that the enemy did not give them an opportunity of disproving to the American nation and the rebels that the libel so actively disseminated was utterly false, that "the Militia of the Upper Province would not fight against them ;" "as I can safely say," observed that gallant officer, "I never witnessed more alacrity and zeal displayed than was shown by that body, or greater anxiety to encounter their foul aspersers."

Two melancholy events happened about this period in the deaths of two young men, Mr. Askin, at Amherstburgh, and Mr. Church, at Belleville, both Militiamen and sons of Magistrates. The former was a Lieutenant in Captain Angus M'Donald's company of Coloured Volunteers, who, returning at a late hour at night from a tour of duty, was stopped by a coloured sentry, who demanded the countersign ; upon which, the unfortunate gentleman delaying to answer, and offering some resistance, the sentinel, not knowing him, shot him dead in the execution of his duty. Mr. Church was killed by the bayonet of a brother soldier, whilst turning out of a house to obey a sudden call to arms in the night,—a pure accident. Such was the ardour and zeal of every Militiaman, white, black,

coloured, Protestant, Catholic, Presbyterian, Dissenter; Upper Canadian, English, Irish, Scotch, Western French,—all kinds, all religions, all sorts; the rich man, the poor man, the judge, the councillor, the negro, whose feet, placed on British soil, had emancipated him,—to fling back from their beloved country the stupid and brutal invader.

The force gathered at Sandusky Bay, at the same period, took possession of Point Pelé Island, in Lake Erie, a large and fertile island near the Canadian shore, where the brigands committed all sorts of atrocities upon the property of the honest farmers, and stole the reflectors of the Lighthouse, plundering and robbing wherever they went.

I cannot better describe the result of this expedition than by giving the Honourable Colonel J. Maitland's dispatch at length, in which there appears to be an oversight, in the want of mentioning two officers who were present at the heads of their respective departments; and who, as this was the first severe action with the brigands in Upper Canada, were actively and zealously employed,—Captain Glasgow, of the Royal Artillery, and Captain Baddely, of the Royal Engineers. The result to the brigands was fatal; but her Majesty's troops, owing to the woody nature of the country, suffered more than in any action during the rebellion; whilst the Militia covered themselves with honour, and ably supported the Regulars.*

** Amherstburgh, U.C. 4th March, 1838.*

Sir,—When I wrote to you on Sunday last, announcing the defeat of the pirates at Fighting Island, I did not think I should have to report to you another instance of a British Island being taken possession of in this quarter.

Immediately after this event, Sir Francis Head, on the 6th of March, prorogued the Upper Canada Par-

Early in the week, I received information from different quarters that Point Pelé Island had been taken possession of by the pirates from Sandusky Bay. This island is of considerable magnitude, being from seven to nine miles in length, and from four to five in breadth; it is situated in Lake Erie, about forty miles from Amherstburgh, and twenty miles from the shore. I sent three or four local officers to ascertain the fact of their being there; they went close to the shore, and were fired upon; this, together with the circumstance of several people who had gone over to the island to look after their property, and who were detained by the pirates, confirmed me that the report was true. I therefore, on Thursday afternoon, despatched Captain Glasgow, of the Royal Artillery, to inspect the strength of the ice, and report his opinion to me, as to the practicability of moving guns and troops to that place. He returned the following day, at twelve o'clock, and reported that the ice was practicable, and strong enough to pass. I therefore determined, without loss of time, to attack them by daybreak the following morning; accordingly, with two guns (6-pounders), the four companies of the 32nd Regiment, one company of the 83rd Regiment, a small detachment of thirty belonging to a Sandwich troop of Cavalry, and St. Thomas troop of Cavalry, one company of the Essex Volunteer Militia, and a small party of Indians, moved that evening under my own immediate command, eighteen miles along the lake shore; where I halted for some time, to rest the horses, and at two o'clock in the morning commenced my march on the lake ice, arriving at the island just at break of day.

I had previously arranged my plan of attack, which was as follows: I directed Captain Brown, with the first and second companies of the 32nd Regiment to proceed round to the south-end of the island, and take up a position on the ice to intercept any attempting at escape by that direction; he was accompanied by a detachment of about twenty-five men of the Sandwich and St. Thomas Cavalry; having made this arrangement, I landed myself with the remainder of the force and the two guns at the north-end; the rebels fled at my approach, and escaped into the woods. I was here informed by some of the loyalists, who had been made prisoners by the pirates on the island, that they were in force to the amount of about five hundred; the troops moved on in extended order, and pursued them through the island, but as the wood was thick, and the snow extremely deep and heavy, the men were much retarded in their progress.

The rebels finding themselves hemmed in on every side, moved out

liament, which had been in session for a short period of unexampled activity, and, in a luminous speech, bade

at the south-end of the island, the only place by which they could escape to the American shore, and advanced in line upwards of three hundred men, well armed and organised, upon Captain Brown's detachment, where they met with the greatest resistance; a brisk fire being kept up on both sides for some time, and several of Captain Brown's detachment having fallen, he determined to charge them, which he did, and forced them back (to the wood where they retreated in great confusion) at the point of the bayonet. I particularly beg to recommend this circumstance to the notice of His Excellency the Lieutenant-General Commanding.

On the road, inside of the wood, the rebels had a number of sleighs, by which means they succeeded in carrying away about forty of their wounded men, the others succeeded in escaping at the southernmost point of the island, and got over to the American coast, leaving killed on the spot their Commanding-officer—a Colonel Bradley; a Major Howdley, and Captains Van Rensselaer and M'Keon, and several others; some prisoners were taken, several of whom were severely wounded.

I regret to say that the taking of this island has not been gained without considerable loss on our part, and I have to request that you will report for his Excellency's information, that thirty soldiers of the 32nd Regiment fell in this affair, two of whom were killed, the others wounded, some dangerously, some severely. I sincerely regret the loss of so many brave soldiers, and feel it the more when I reflect they did not fall before an honourable enemy, but under the fire of a desperate gang of murderers and marauders. A list of the killed and wounded I have the honour herewith to enclose. Having scoured the woods, and satisfied myself that the island was cleared, I re-formed the troops, and about five o'clock in the evening proceeded back; and the soldiers returned to their quarters at Amherstburgh that night.

When you take a view of the circumstances of this affair, I need hardly detail to you the arduous duties the soldiers have had to perform, from the time they left until their return—travelling as they did forty miles in an excessively cold night, twenty of which were across the lake, accomplishing the object I had in view, namely, the liberating the loyal people detained on the island, gaining possession of the place, restoring it to the proprietors, defeating, with considerable loss, the enemy, and returning again to their barracks within forty hours.

My warmest thanks are due to the whole of the officers, who sup-

farewell, whilst awaiting the arrival of his successor, Colonel Sir George Arthur, to return to England. Sir

ported me in this undertaking ; and it is impossible for me in words to do justice to the gallant soldiers of Her Majesty's Royal Artillery, 32nd Regiment, 83rd Regiment, and the Loyal Volunteers of Cavalry, Infantry, and the few Indians, who constituted the force under my command. I have to regret that Mr. Thomas Parish, a private in the St. Thomas Troop of Volunteer Cavalry, was killed in rear of the 32nd Regiment by a musket shot.

Colonel Prince, of Sandwich, Mr. Sheriff Lachlan, Captain Girty, and several other gentlemen, asked permission to accompany me, which they did, and gallantly acted with their rifles with our soldiers against the rebels in the wood ; I found them very useful from their knowledge of the locality of the place.

I trust this second repulse on this frontier, of the American banditti (let it be understood that I have it from satisfactory authority that the whole of this gang driven from Pelé Island, are American citizens), will be a lesson to them that they are not with impunity to hold British territory.

A large tri-coloured flag, with two stars and the word " Liberty ! " worked upon it, and eleven prisoners, were also taken, some of whom state they were formerly on Navy Island ; about forty stand of American muskets, some ammunition, swords, &c., were also taken.

I am informed by the prisoners, that it was the decided intention of these people to land on the Canadian shore last night, and march upon Amherstburgh, destroying by fire on their way all the houses, &c., they had to pass, and for which six sleigh-loads of American citizens from Sandusky Bay had joined them the night previous to my attack, and made their escape back again, immediately on my appearance in front of the Island.

I have the honour to request that you will lay the substance of this letter before his Excellency the Lieutenant-Governor, and forward it to Montreal, for the information of his Excellency the Lieutenant-General Commanding.

I have the honour to be, Sir,

Your most obedient, humble Servant,

(Signed) JOHN MAITLAND,

Lieutenant-Colonel Commanding 32nd Regiment, and
Colonel Commanding the Western Frontier.

Amherstburgh, U.C. 5th March, 1838.

Dear Colonel,—I have to report to you that Sutherland, and a

George Arthur was sworn in on the 23rd of March, 1838.

Militia Courts-martial upon the numerous traitors and brigands, taken prisoners from time to time, were assembled at Toronto; and General Sutherland, dreading his fate, attempted suicide by opening veins in his

young man of the name of Spencer, whom they say is his Aide-de-Camp, were captured yesterday by Colonel Prince, of Sandwich, about two miles on the ice. He brought them in here, and lodged them in the guard-house; but I think it is not safe that they should remain here long. I shall forward them to-day, under a strong escort, to Toronto, in charge of Captain Rudyer, of the loyal Essex Volunteers.

I have had no conversation with this man, except merely to state to him that it was my duty to send him to Toronto.

Captain Rudyer has been acting here as Brigade-major, since the calling out of the Militia force in this part of the country. I and Colonel Townshend have found him very useful in this situation; he was with his company with me at the capture of Point-au-Pelé Island, and will be able to give you any information you may require upon this subject.

I was very lucky in having nearly the last of the frosty weather to drive these fellows off the Island, for last night and this morning the weather has become soft, and the ice is beginning to get rotten.

Somehow or other, I think Sutherland must have been making his way to the Island when he was taken, but he pretends to know nothing of the action that took place.

I have nothing new to report to you. Our wounded men are doing pretty well, but some of the wounds are most severe bone wounds. I have been obliged to send to London express, for the other Assistant-surgeon of the regiment; indeed I think if he could be spared, another Army Medical-officer is required here for the moment.

Enclosed is a deposition made before a Magistrate, by Colonel Prince, relative to the capture of Sutherland and Spencer,

I am, dear Colonel,

Yours faithfully,

(Signed)

JOHN MAITLAND,

Colonel Commanding Western District.

To COLONEL FOSTER,

Commanding the forces in Upper Canada, &c., &c., &c.,
Toronto.

arms, but was prevented just in time from completing his design.

Sir Francis Head took the bold resolution of passing through the United States, and arrived safely, after a rapid journey across the country, from Kingston, at New York, on the 28th of March, 1838, accompanied by Mr. Justice Jones. The perils of this journey consisted in the difficulty of crossing the ice, which was breaking-up at Kingston; in the dreadful state of the roads at that season, and in running the gauntlet of myriads of sympathizers, to whom Lynch law was familiar, and who (in consequence particularly of the destruction of the *Caroline*) thirsted for his life.

Sir Francis, it is well known, is capable of enduring great fatigue, and is an excellent horseman; to these qualities he probably owes his life on this occasion, for he was recognized by a fellow of the name of Scanlan, who had fled from justice at Kingston some time before the Rebellion, and who, it is said, petitioned him to intercede for his restoration to that place.

To show what a curious opinion the Americans formed of him, I extract the follow morceau from the *Watertown Jeffersonian*, of the 29th of March, 1838 :

Sir Francis Bond Head, late Lieutenant-Governor of Upper Canada, passed through this village on Monday morning last, on his way to England. Sir Francis was accompanied by Judge Jones, and was introduced to several of our citizens. He appears to be a very mild but active man, unfitted by inclination, as we should think, for revolutionary times. He has proved true to the aristocracy of England, and on all fitting occasions has expressed his disapprobation of republican institutions. Governor Head intended to have passed through this section of the State *incog.*, but was recognised by some resident exiles. To carry out the deception he at first seated himself on a

wheelbarrow in the street ; but when recognised, he at once was open, free, and unreserved with our citizens.

Some of "our citizens," however, took the liberty to follow him *en route*, but by dint of hard riding he distanced them through the woods and gained comparative safety afterwards, in every mile he receded from the sympathizing borderers, and was very well received at New York.*

Great precautions were taken on the night of his arrival at Kingston, as he was to depart at daylight, and a *cordon* of the Marine Artillery was drawn across the ice by me, and all communication with the American frontier completely closed.†

Fortunately the ice was bad and required a skilful pilot, so that the danger from the piquets and patrols was increased by the difficulty of a night march across it ; for so rapidly was it going, that a week afterwards the steam-boats again plied. Had the sympathizers been prepared for his transit, I fear the result of so bold an experiment would have been different, but it had been given out that he intended to proceed by Montreal. I confess I did all in my endeavour to dissuade him, knowing the virulence of the Frontier Borderers, and when I saw him, for the last time in Canada, step upon the ice, I watched him till he had crossed it, hazardously in the extreme, for without a light boat it would have been almost impracticable.

* In the "Emigrant," a work I wish he had given any other name to, he has told this story himself more at large.

† Sir Francis, in the "Emigrant," makes a little mistake about this precaution, and ascribes it to a subordinate officer then under my command.

I never expected again to see him in this world. He passed the Rubicon, and has left at least, a deathless name in Canada for the manliness and openness with which his policy was carried out, and for the unreserved magnanimity with which he took upon himself the onus of the whole transaction of the burning of the *Caroline*.

Cavillers, in Canada and in England, blame Sir Francis Head for drawing the rebellion to so fine a thread that it snapped at last. But even he, as well as his detractors, seem to have lost sight, in his defence, of the facts embodied in one or two unanswerable arguments. I differ materially with him in some of his last acts, as a Lieutenant-governor, but can vindicate him here.

First, If Papineau had not stirred the French Canadians up to, and gradually for years, prepared them for, the outbreak in 1837 of the "*Fils de la Liberté*," long before a man in Upper Canada dreamt of rebellion, would Bidwell (with whom Papineau corresponded), and Mackenzie, Morrison, *et hoc genus omne*, in their wildest aspirations for power, have thought of a resort to arms. I am certain they never contemplated it, and that when Mackenzie did encounter the awful risk, they all disapproved of it as premature.

So strong was the sense of loyalty to Britain in Upper Canada, when I left it for England, in May, 1837, and so strong did it continue on my return in September, that I, who knew the country and people intimately for very many years, should have acted, if placed in Sir Francis Head's position, precisely as he did.

Secondly, Sir Francis Head, with whom, upon some slight subjects, respecting Canada, I differ, as I have already said, knew, as every well-informed person knew, that the farmers, the yeomen of Upper Canada, could not wish to pass over to the Government of the United States, of which their country must have formed a very second Texas, when taxation would immediately commence, and eternal bitter conflicts upon political rights from the quaternary election of a President, to the yearly appointment of Post-masters and Town-criers, would have been their lot. The Upper Canadian small landholder knows his government only through the Newspapers; it never harasses him, and he has no taxes to pay but those of which he has the control himself, and which are merely to keep his roads in order. He enjoys plenty, literally without a master, for as long as he keeps the laws he has no other ruler than his own will.

Then, again, would the presence of two regiments and two companies of artillery in Upper Canada (for since 1815 that had usually been the protective force for a thousand miles of frontier), would such a handful of men have deterred Mackenzie and his rebels? who could always, if well supported by American sympathisers, have chosen his ground for annoyance and plunder far away from the regular troops.

Would coercion have paralyzed a determination to rebel, had Rolph, Bidwell, Morrison, Lount, Matthews, Mackenzie, and the other known Republican leaders been incarcerated? On the contrary, it would have hastened a crisis; and Sir Francis, by simply trusting to the good sense of the people, nipped it in the bud,

and gained a greater moral victory than bayonet and cannon and all the terrors of the law could have effected; whilst the American nation had a salutary and excellent lesson as to the chances of popular sympathy with respect to an amalgamation into their Union.

However desirous the people of the United States may have been, and still are, of extending their empire over the Continent of North America, it appears to a calm observer, from the advanced state of knowledge and the actual literary era of the nineteenth century, that large republics and extended empires over a continuous tract of the globe, whether in the Old or in the New World, are moral impossibilities as to duration. Already the overgrown dominion of the Czar trembles. The Empire of China is broken in upon by the outer barbarians, and the Cabinet of Washington, with inadequate means and a population which cannot prevent the forest from asserting its ancient dominion, has quite enough to do to prevent internal disorder without risking external collision.

The real freedom of Britain, under a guarded and constitutional monarchy, has hitherto withstood the wear and tear of ages, and instead of diminishing its fame and lustre, appears to advance more and more towards perfection, unlike the enervated and besotted luxury of the heathen emperors, and the feeble spirit of religious dogmatism which eclipsed their lustre. Rome sank the moment the empire was transferred to Constantinople, and the power of the Popes exhibits only a melancholy example of continual decline.

There is a national as well as a private virtue, and that misused word, which anciently was synonymous

with brute force, is now better understood. It neither exists in the bosom of a despot, nor in the fickle mind of a mob.

The United States of America, if well is let alone, occupy a proud and very eminent station. They have recently risen from obscurity to take a commanding position in the political and moral world; but it is not by extending their dominion to the shores of the Pacific, nor by embracing Canada and Mexico, that that pre-eminence can be sustained. Europe is still in the prime of life, and the moment the United States attempt extended conquest, whatever may be the jealousy of the European states towards England, Europe will be in arms. The Austrian dreads innovation, the Russian trembles lest the boors become too enlightened and her American territories too closely looked into. France remembers Louisiana and has sundry other causes of discontent; whilst England is perfectly willing that the bald-headed eagle shall grasp its bundle of arrows, and hold a steady wing to check the growth of ambition, but will not calmly contemplate the brooding of that wing over a greater space than is absolutely necessary to cover its own nest.

The United States, if they follow their real interest, will cultivate the arts of peace, and content themselves with being the reflection of Transatlantic Albion, ruling by the just power of moderation, equanimity, and Christian justice. Once swerve from this straight course, endeavour to annex Canada, try to conquer Bermuda, and to cripple the British power in the Caribbean Seas, and the cry will then be "Ichabod!" and the glory will at once and for ever depart.

If the United States instituted a stronger form of Republican Government, and rendered the administration of the laws firm and secure, her eminence would indeed be that of a high mountain amidst the hills of the political globe. Had she been capable of exerting a reasonable share of power, would the disgraceful scenes we have been describing on the Canadian frontier, and still worse which are to be described, have happened? It needs no casuistry to argue the point. General Scott and Colonel Worth did their duty nobly, and to the utmost of their power; but their power was that of the people, that universal people who still uphold Slavery and Lynch law; and so it must ever be, whilst neither talents nor wealth can be permitted a fair field of exertion, in consequence of a system of eternal balloting and struggles for place. Cromwell's boasted Republic was of a far different aspect; the will of the Protector was backed by his Ironsides, and however disgusting this military dragooning would now seem, it prevented every rude citizen from making his own reckless will the arbiter of his country's destiny. Where the judge can neither pronounce his unbiassed judgment without fear of losing his office, and indeed sometimes his life, and the minister cannot carry out his most sagacious and conscientious views without referring to the opinion of the mere populace, there cannot real liberty reside; but religion, government, morality, and law, must continually abide their share of chances and changes. The Republican Jewish Patriarchs would no more have consented to rule under such circumstances than Cromwell. Happy then, happy is Canada, to have that transcript of a Constitution to

work upon, which, whilst it permits freedom of judgment and action in all our mundane and heavenly affairs, checks by a wholesome rein, the exuberance of the fancies alike of the Government and of the governed, and under whose ægis the manacles of the slave fall from his toil-worn limbs.

A wise man has said that a despotic monarchy is the best safeguard of the poorer classes.* They are too insignificant for the bowstring or the axe; but how much better for the poor is a limited monarchy, where his labour is rewarded, and his existence of the utmost consequence to the welfare of the community. If, after half a century of experience and deep thought upon the various systems which have been introduced since Adam tasted the fatal apple, I was to be born again with free will to choose my lot, the happy valley would be that portion of the globe where the Monarch, the Peers, and the People were alike responsible to each other; where the people could not run riot, and where the Sovereign reigned in their hearts,—a free Queen, ruling over a free nation, and the avenues to the throne were open to talent as well as to wealth and to renown. Such is England, that dear country, which we learn to reverence the more the farther we are from it.

The sympathisers, having been thus completely

* As I was writing this a person of my acquaintance, who thinks that all Colonies should be governed by stringent rule, told me that he once happened to quote this opinion in Canada, and that he really thought that a governor and council was the only thing to settle that country. A very intelligent man, who had been mainly instrumental in forming the Literary Society of Quebec, looked at him with perfect astonishment and asked if those were his real sentiments; "Yes!" "Then, Sir, I pity your intellects," said the other.

foiled in their grand plan of attacking Canada simultaneously,—a plan copied from that of the war of 1814, which had met with the like fate,—all was, for a time, again quiet. The British Government, aware that upon decision hung the probabilities of a contest with the United States, chose a nobleman of large property and diplomatic talents as Canadian Viceroy, leaving Sir John Colborne Commander-in-chief, with full powers to crush the rebellion, and to take effective measures to meet the emergency of a war. Upper Canada, always the seat of such a war, was familiarly known to Sir John, and soon wore a very different appearance from that which had preceded the outbreak.

The Engineer officers were now sent to every point where fortifications or troops were required; Amherstburgh saw its ancient Fort Malden rise from its ruins; London became, from a hamlet, a flourishing town, with extensive barracks; Fort Mississagua, at the outlet of the Niagara, covered that part of the frontier; Kingston was strengthened; additional barracks built at Toronto, Fort Wellington at Prescott rendered impregnable to sudden attack; and, in short, a frontier of a thousand miles placed, in a few months, in an infinitely better position to receive an enemy than it had ever been, manned with the choicest troops of England, supported by 40,000 Militia, eager to vindicate the honour of their country.

On the 29th of May, 1838, Lord Durham arrived at Quebec; and one of the first acts of his administration was the difficult one of deciding upon a measure of Sir John Colborne's temporary Government, which that brave officer had judged fit to reserve.

The gaol of Montreal and the Fort of Kingston were full of prisoners, taken in the act of committing the most serious offence known to our criminal law. Dr. Wolfred Nelson, Mr. Bouchette, Viger, Girouard, and many other persons of distinction and note in society, were amongst those waiting their sentence in the Lower Province; and there it was impossible to convene such a jury of their countrymen as could give, or would give, impartial judgment.

Lord Durham's mission to the French Canadians was one of peace; for the Queen, the Ministry, and the whole British people could not forget the noble devotion which this race had shown in support of the Crown against the attacks of the United States in the last and former wars. His Lordship saw clearly, as every person conversant with Canadian affairs must see, that the people of French extraction in Canada are most excellent subjects for the designs of factious demagogues to work upon; that they are a simple, honest, lively, and trustworthy people. He, therefore, very properly overlooking the minor offenders, punished the great movers of the rebellion, whose sole aim had been personal aggrandizement; and directed that Papineau, who had fled, and those who fled with him, should become outlaws, liable to the penalty of death if they returned; and that Nelson, &c., should be sent under surveillance to Bermuda, subject also, if they returned without due authority, to the like fate. But this assumption of dictatorial power was strongly opposed in the British Parliament, and finally set aside, after a Bill of Indemnity to exonerate Lord Durham had been passed; thus displaying one of those beautiful features

of the constitution of a limited monarchy, which is the admiration of the world. Had some of the persons who appeared in arms, been executed by sentence of a duly constituted court during the existence of the rebellion, as their confederates, Lount and Matthews, were in Upper Canada, not a whisper of disapprobation would have been heard in Great Britain ; but the instant that it was known that a Viceroy took upon himself the sole administration of justice, and that he assumed the feudal power of awarding the sentence of death, the nation rose against him, and, unable to brook the disappointment and the dictation which he thus in turn had to bow before, he threw up his mimic sceptre, and returned to England in disgust ; not, however, before he had hastily visited the chief towns on the river St. Lawrence and Lake Ontario, and proceeded as far as the Falls of Niagara.

His Lordship, in his capacity of High Commissioner, collected from all quarters a great mass of information, which was very diligently put together ; and, although very unpalatable to those in place in Canada at that period, has, since time has hallowed its truths, been found to contain some sound political views, which have proved of great service to statesmen. It requires very careful consideration, however, for it is tinged with much of the bilious hue of the Canadian politics of 1838 and 1839, when the revolutionary party were trying to persuade rulers that their object was only to obtain responsible Government and a redress of grievances ; and the Americans, whose opinions were the very last that should have

been taken, coloured the evidence in a most remarkable degree.*

His Lordship's intentions were, no doubt, good, but he saw little either of the people or of the country, as he travelled entirely by steam in his progress to the Falls of Niagara, attended always *en Prince*, and thus had not much opportunity of mixing with the people, some of whom took offence at his distance of manner, but which he doubtless considered was fitting his high office. In short, with great abilities, great wealth, and immense influence, and certainly having paved the way for much good to Canada, Lord Durham was too short a time in the Colony to become acquainted with the people or to render himself popular. His reign lasted only until the 1st of November, 1838, on which day he resigned his powers to Sir John Colborne, and embarked for England.

The only subject of any consequence during the summer and autumn of 1838 in Canada, now filling with regular troops,† and guarded by thousands of

* It is contained in an immensely thick folio, printed by order of the House of Commons, which few people would now have the resolution to wade through.

† The Grenadier Guards (2nd Battalion) the Coldstreams (2nd Battalion), and the 71st, arrived at Quebec by sea on the 9th and 14th of May, earlier than ever troops had previously done in such large vessels as the *Malabar*, 74, and the *Edinburgh*, 74. The Guards came in the *Edinburgh*, 74, the *Inconstant* frigate, the *Apollo* and *Athol* troop ships; the 71st in the *Malabar*, 74. Such a scene, at such a season, had never before been witnessed at Quebec. On the 15th of May, the harbour presented the brilliant spectacle of two seventy-

Militia, was the acquittal of the murderers of Chartrand, at Montreal, by a French Canadian jury, notwithstanding the clearest and most conclusive evidence. Samuel Lount and Stephen Matthews, the two leaders of Mackenzie's attack upon Toronto, were executed at that city upon the 12th of April; and at Hamilton, William Webb and John Hammil, Horatio Niles, Stephen Smith, Charles Walworth, Ephraim Cook, John Tufford, Nathan Town, and Peter Malcolm, were sentenced also to death; as were Anderson, Theller, Montgomery, and Morden; but Sir George Arthur, blending mercy with justice, transferred most of these traitors to the State prison in Fort Henry, at Kingston. Drs. Nelson and Côté were imprisoned in the State of Vermont, and, after a mock trial, acquitted, and a public dinner given them.

Sir John Colborne also abolished martial law in Lower Canada at the same time; and everything bore the face of returning tranquillity, when an event occurred as brutal and barbarous as ever fell to the lot of an historian of civilised people to record.

On the 19th of May, 1838, the beautiful steam-boat *Sir Robert Peel*, one of the fastest, largest, and finest of those plying on the St. Lawrence and

fours, a crack frigate, two immense troop-ships, and 150 sail of merchantmen. Here was a specimen of the power of England. Treason and sympathy hid their diminished heads, and for the first time the large city of Quebec was so crowded with troops that the 71st were, for want of accommodation, immediately despatched westward.

Lake Ontario, was in the act of taking in fuel at a place called Wells' Island, amongst the thousand islands belonging to the United States, and about seven miles from French Creek, her usual custom, when, in the middle of the night, or rather early in the morning, she was boarded by a crew of fifty ruffians, masked, disguised, and armed.

The passengers, amongst whom were several females, were ordered to rise from their beds, and, hastily putting on such attire as they could find in the darkness and confusion, the females were put out of the vessel, and left to their fate on the shore, on a most inclement night, whilst the men were confined in the cabin, through the skylight windows of which muskets were pointed, to keep them from interfering. At length, a panel having been broken out of the cabin-door, one by one at a time were permitted to go out and depart as they could, half-clothed, and, the vessel having been rifled, was set fire to. The mate narrowly escaped being burned to death, as he was sleeping in his berth, and only saved himself after she was on fire by jumping overboard. All the passengers and crew lost their baggage and property, and the *Sir Robert Peel*, a new boat, which had cost a very large sum of money, was totally consumed.

Several people from French Creek had been missing previous to this act, and it was the intention of the miscreants to burn all the British steamers, in order that their whaleboats might proceed in the work of invasion and piracy undisturbed.

Governor Marcy, of New York State, immediately he received information of this piratical act, left Albany for the frontier, and took active measures to discover the perpetrators, as also to guard his frontier from the dreaded retaliation of the Canadians, but nothing to this day has transpired as to who were the real perpetrators of the deed, further than the universal belief, that the notorious mail-robber and pirate, Bill Johnson, was actively engaged, and a reward was offered by the American Governor for his apprehension. Several men were taken and confined in the State prison, but it all ended in smoke.

I knew several of the persons who were thus treated on board the Sir Robert Peel, but they were so suddenly attacked, and had so little apprehension of such an atrocity being attempted, that they could add but little to the stock of information.

But Bill Johnson laughed at the efforts of the Governor and all the authorities. The Thousand Islands afforded him a secure retreat, and amongst their intricacies he hid his boats and his men. In vain parties of sailors from Kingston examined them; they were occasionally fired at by an unseen and vanishing enemy. The American Militia and Civil officers were equally unsuccessful, capturing about 250 pikes, but no pikemen.

I sent one of my adjutants, an active and enterprising old soldier of the 79th, on a secret expedition to discover where the boats were concealed. The foe was off, but he found their bivouac on an almost inaccessible islet near the most narrow part of the channels

of the Thousand Isles at Fidler's Elbow, and cleverly constructed inclined planes upon which these fast-rowing boats had been drawn up. The result of his expedition, hazardous in the extreme, gave me a knowledge of their whereabouts, and added to the geology of Canada; for without knowing anything about the subject, he brought away from this isolated and seldom visited spot some of the finest specimens of tourmaline I ever saw, which he conceived to be indicative of coal.

Without saying a word to anybody, I applied for the use of a small steam-boat; and putting some of my staff and band on board, as a *ruse* to make the folks imagine I was going to visit the Militia garrisons of Gananoque, Brockville, and Prescott, I embarked a company of the Frontenac, and after visiting all these posts for about seventy miles, returned in the night by the islands where Johnson was hidden, hoping he would attack the boat, whereon the men were not allowed to be seen. In vain, in vain, was this expedition like all others; and the only results of it were that two barrels were observed moored in the channel at its narrowest part, no doubt containing, as was the case in the Niagara River, the means for the destruction of our naval equipment there. With excellent steerage we escaped the danger; and as these infernal machines were never seen afterwards, they were either exploded or removed.

At the Fidler's Elbow, a sharp turn in the navigable channel, I saw the remains of the pirates' recent bivouac in their expiring fires; and here, where they might have injured us, it appears that their knowledge of our movements was accurate in the extreme, for they

not only never attempted to fire, but shortly afterwards deserted their strongholds entirely. I knew perfectly the source from which Bill Johnson derived his knowledge of our movements; but as the development of that knowledge would involve a person, respecting whose loyalty I still have doubts but not certainties to rely upon, it would neither conduce to any benefit to detail an extraordinary scene in a real-life drama, nor would propriety permit the names of other actors to be placed before the public. Suffice it to observe, that the most interested party never stirred without my being acquainted with his motives; and that whenever we prepared to take the field, a false movement on his part would have instantly cost him his life, so well was he watched and guarded.

Some of the Militia officers on the Canadian frontier, and an officer charged with despatches, were about the same time grievously ill-treated by the mob at Detroit; and the American steamer, *Telegraph*, was fired at by two of the Militia sentries at Prescott. For the former no reparation was offered; but for the latter, as it arose in a mistake of their orders, every proper explanation was afforded, and the men were duly punished. These acts concluded the summer excitements on the borders.

But the spirit of invasion was only hushed, and new combinations, under the names of Hunter's Lodges, &c., arose, which gave rise to more important events. It only required the season of short days and long nights to ripen those nefarious schemes which, in summer, were paralysed by the constant arrival of fresh troops, and the rapid organization, under Cap-

tain Sandom of the Royal Navy, of a sufficient naval force on the lakes.

Bill Johnson, well known as a pirate during the last American war, and for his exploits in mail-robbing, had collected a numerous gang of Canadian refugees and American sympathisers, with whom, in long boats, built after the fashion of those used in the whale-fishery, and very swift, he kept the frontier in a state of constant agitation, as his object was, as in the case of the *Sir Robert Peel*, plunder and burning. On the 7th of June this robber, or some of his friends, made a descent during the night upon the fertile island of Tanti, Amherst Island, mentioned before as the property of Lord Mountcashel, within a few miles of Kingston on Lake Ontario, and lying immediately opposite to the pleasant village of Bath. Three isolated farm-houses were plundered, and many valuables and some money obtained; whilst one farmer, in the defence of his property, was inhumanly shot at, and lost three fingers and a part of his hand. The pirates were dressed as sailors, and well armed; and it is said had one sixteen-oared boat, mounting two three-pounders.

Bill Johnson and Daniel M'Leod were supposed to be the principal leaders; but, as in the case of the *Sir Robert Peel*, several Canadian refugees from Belleville, &c., were with them, and the Governor of New York offered rewards for their apprehension, naming these two as well as Samuel C. Frey and Robert Smith, Upper Canadians; William Nickles, a deserter, and the only one, from the Militia; M. W. Forward, Anderson, James Potts, Seth Warner, and his brother, all Upper Canadians; Nathan Lee and Henry Hunter,

Americans ; Hugh Scanlan, an absconding debtor from Kingston ; William Smith, John Tarr, Thayer, Robinson, William Leister, Upper Canadians ; and William Coppernell, James Hunter, and William Robins, of French Creek, Americans. Lord Durham also issued a proclamation, offering a reward of £1,000 for the apprehension and conviction of any person concerned in the burning of the *Sir Robert Peel* ; and stated therein his firm determination to uphold the honour of the Crown and the integrity of the empire.

Captain Sandom, with such small lake steam-boats as he could obtain, did everything in his power to destroy this nest of water-thieves, and they at last were so hunted as to become daily of less and less importance ; but excitement was kept up along the whole frontier, and the British steam-boats, even at Niagara, were at one time in much danger, and all were obliged to arm and carry armed crews, whilst no Loyalist on the river or lake-shore dwelt or slept in security.

Bill Johnson issued a proclamation, as follows :—

“ TO ALL WHOM IT MAY CONCERN.

“ I, William Johnson, a native-born citizen of Upper Canada, certify that I hold a commission in the Patriotic service of Upper Canada as Commander-in-chief of the naval forces and flotilla. I commanded the expedition that captured and destroyed the steamer, *Sir Robert Peel*. The men under my command in that expedition were nearly all natural born English subjects ; the exceptions were volunteers for the expedition. My head-quarters was on an island in the St. Law-

rence, without the jurisdiction of the United States, at a place named by me Fort Wallace. I am well acquainted with the boundary-line, and know which of the islands do, and which do not, belong to the United States; and in the selection of the island I wished to be positive, and not locate within the jurisdiction of the United States, and had reference to the decision of the Commissioners under the sixth article of the Treaty of Ghent, done at Utica, in the State of New York, 13th June, 1822. I know the number of the island, and by that decision it was British territory. I yet hold possession of that station, and we also occupy a station some twenty or more miles from the boundary-line of the United States, in what was Her Majesty's dominions until it was occupied by us. I act under orders. The object of my movements is the independence of the Canadas. I am not at war with the commerce or property of the people of the United States.

"Signed, this tenth day of June, in the year of our Lord, One Thousand Eight Hundred and Thirty-eight.

"WILLIAM JOHNSON."

His Excellency Sir John Colborne made an extended tour during the summer, visited Navy Island, and ordering additional defences throughout Upper Canada, returned to Quebec to meet Lord Durham, and to cause a large body of sailors and marines to be forwarded to Captain Sandon, to scour the Thousand Islands.

The American Government also sent General Macomb to supersede General Wool, and troops were forwarded

in all haste to Fort Niagara, Sackett's Harbour, and other points.

Cavalry, the King's Dragoon Guards and 7th Hussars, arrived from England, with reinforcements for the artillery, engineers, and line; and Admiral Sir Charles Paget's flag in the *Cornwallis* floated over the harbour of Quebec, amidst a mass of men-of-war, steamboats, and merchantmen, unexampled in the history of Canada.

To prevent the further incursions of the pirates at the Isle of Tanti, a company of the 1st Frontenac Militia, drilled and well disciplined, was established at the village of Bath; whilst Gananoque, and the intermediate villages of the St. Lawrence frontier of the Thousand Islands, with Brockville, Prescott, and Cornwall, were strongly reinforced with picked Militia.

On the 21st of June, Osterhout's, a tavern in which some Volunteer Lancers were quartered, at the Short Hills, in the township of Pelham, in the Niagara district, was attacked by a body of armed men, who plundered the house of a large sum of money and valuable property, and overpowered some Lancers, upon whom they fired. Thirty of these ruffians, hidden in a swamp, were afterwards taken, as well as Morrow, their leader. This body of sympathisers, it was known, had chiefly crossed from the United States; and in consequence, Sir George Arthur issued a proclamation, forbidding all persons from travelling in the British territory without proper passports; and at the same time it was decided that the prisoners taken in arms, or persons taken aiding and abetting in acts of treason, should be considered as prisoners of war, and treated accordingly.

Lord Durham at the same time discharged from the prisons of Montreal all the young French Canadians who had been engaged in the rebellion, who were minors; whilst, as I have before stated, he sentenced Wolfred Nelson, Robert S. M. Bouchette, Bonaventure Viger, Simon Marchessault, H. A. Gauvin, Toussaint Goddu, Rodolphe Des Rivières, and Luc. H. Masson, to deportation, on an acknowledgment of their guilt. Louis Joseph Papineau (late Speaker of the House of Assembly), Cyrile H. O. Coté (member of the House of Assembly), Julien Gagnon, Robert Nelson, M.H.A., Edmund Burke O'Callaghan, M.H.A., Edward E. Rodier, M.H.A., Thomas Storrow Brown, Ludger Duvernay, Etienne Chartier, a priest (a solitary example), George E. Cartier, John Regan the elder and John Regan the younger, Louis Perrault, Pierre P. Demaray, Joseph F. Davignon, and Louis Gautier, who had all absconded, were doomed to death, if found again within Canada; but with a proviso, that if permitted thereafter to return and reside therein, by competent authority, none of these persons should be subject to any penalty or prosecution for any treasonable or seditious practises by them at any heretofore time committed.*

But the murderers of, or persons charged with the murders of Lieutenant Weir of the 32nd Regiment, and of Joseph Chartrand, were in nowise to be permitted to

* It is perfectly obvious, therefore, that all these persons upon being allowed by Government to return to Canada, are as fully pardoned and free from all molestation, as if the rebellion had never occurred; for the British Government cannot undo Lord Durham's act of grace, for which he was as fully indemnified as for his act of punishment in dooming and deporting, and accordingly many have returned, and now hold prominent situations.

come within any future pardon. Their names were—François Jalbert, Jean Baptiste L'Huissier, Louis L'Huissier, François Mignault, François Talbot, Amable Dunais, François Nicolas, Etienne Langlois, Gideon Pinsonault, and Joseph Pinsonault.* All other persons concerned in the rebellion were pardoned.

This extended act of mercy had very little effect; a body of sympathisers, at the latter end of June, planned an attack upon Canada from the United States, at two places on the Western frontier—Bear Creek, near the entrance of the Thames, and Sarnia, on the river St. Clair; and a number of state prisoners were rescued from their durance in the London district, so that on the 1st of July it was necessary to send forward the 34th Regiment from Toronto to that place.

Sir John Colborne, with his accustomed activity, again visited the Niagara frontier, and formed a camp near the Falls. The 43rd under Colonel Booth, two field-pieces under Lieutenant Wilkins of the Royal Artillery, and part of a company of Sappers under Lieutenant Roberts of the Royal Engineers, went at the same time to the frontier, and were followed by complete reinforcements, and by two troops of the Dragoon Guards and the 71st Regiment.

Some of the pirates marched from Bear Creek to Delaware, within about sixteen miles of London, and having robbed the store of a French trader on the St. Clair, the Indians pursued and routed them. They extended their plunder, however, as far as the Goderich

* The murders of Lieutenant Weir and of Chartrand were so barbarously brutal and unnecessary, even to the cause of the rebels. that it was long hoped justice might yet overtake all the perpetrators.

frontier of Lake Huron in a sloop, which was taken possession of, after the pirates had escaped, by the United States' steamer *Gratiot*.

About this time Lord Durham revoked all the proclamations of his predecessors, offering rewards for the capture of the rebels who had absconded.

The invasion of the Western district was soon put an end to, and Lieutenant Elmsley of the Royal Navy, who had already so much distinguished himself, captured six of the pirates of Bear Creek whilst cruising on Lake Erie. The Indians also took many more, amongst whom was Aide-de-camp Spencer, who had been pardoned on account of his having given useful information.

The United States steamboat *Governor Marcy* also captured six of the brigands who had robbed the shops near Gooderich, and for the first time a Grand Jury at Detroit found one of the patriots guilty of violating the neutrality of the United States. His name was Vreeland, and he was sentenced to a year's imprisonment, and a fine of 1,000 dollars.

The Kingston Penitentiary also received several of the state prisoners, who were sentenced to three years' hard labour and expatriation afterwards; but at Quebec a public meeting was held, expressing sympathy for the fate of the French Canadian rebels, and calling upon Lord Durham to restore them all to their homes. This meeting took place on the 4th of July, the day on which the Independence of the United States is annually kept, and was most numerous attended, Jean Tourangeau, a Justice of the Peace, presiding, and Monsieur Belleau, Secretary, and a copy of the resolutions was ordered to be sent on board the *Vestal*, then

about to convey Wolfred Nelson and his companions to Bermuda ; and the French Canadians of Terrebonne illuminated their town on the same 4th of July.

A special commission at Kingston tried the following prisoners for high-treason, and they were acquitted or held to bail : Reynolds, Le Sage, and Myers, Lewis, Orr, La Fontaine, Marsh, and Day. Of the guilt of some of these men, who were taken with arms in their hands, there was not a doubt, for they themselves affected not to deny it ; but the privilege of an almost unlimited challenge of the jurors, and the evident magnanimous intention of the Government not to push matters to extremity, was the cause of their release. They were chiefly inhabitants of the districts adjoining Kingston, and what is worse, several of them were the sons of United Empire settlers, who owed all they possessed to the Government.

The trial of the prisoners taken at the Short Hills ended differently. Morrow, the leader, was executed on the 30th of July. He was a native of Pennsylvania ; and Miller, an American law-student, was also found guilty with some others, such as Waite, the second in command ; but it would be tedious and uninteresting to name all the obscure adventurers who were punished or perished for their atrocities and folly.

Lord Durham having determined to return to England, addresses in his favour were sent to his Lordship from the most influential persons in the Cities of Toronto, Quebec, Montreal, and Kingston, from Cobourg and from many other towns. It is said that this change of feeling towards the Governor-general arose in consequence of the want of support he met

with at home ; and also that since the acquittal of the murderers of Chartrand, he had somewhat altered his policy respecting the French Canadians, particularly as the districts which had evinced most openly the principles of rebellion, were again practising the same unhappy game. Just before his departure in October, a trooper of Captain Moore's troop of the Mississiquoi Dragoons captured a French Canadian double wagon and a cart at Moore's Corner, whilst they were passing from the frontier of Vermont towards Stanbridge in Lower Canada at midnight. The drivers escaped, but a beautiful iron nine-pounder gun, complete in everything necessary for the field, and covered over with apples,* with other materials for a fresh attack, were secured.

* Theller and Dodge escaped from the Citadel Prison of Quebec in the latter end of October, with three other minor sympathisers, who were, however, retaken; and John George Parker, Brophy, Anderson, and several others also escaped from the State Prison at Fort Henry, Kingston. Parker and another were retaken. In the latter case, treachery was employed ; in the former, cunning alone effected the escape. Both were adventures which might form parts of romance. I annex Brophy's account, which leaves the traitors who aided him out altogether, and without whose assistance he could not have escaped : the detail of the escape is correct.

We shall probably gratify the curiosity of our readers by giving them an opportunity of reading "Col. Brophy's" account of the escape of the prisoners from Fort Henry, as copied from *The North American*, printed at Watertown. Brophy's statement differs materially from that of Watson in several particulars, especially as to the means employed in the escape, and shows that in addition to the Colonel's "being acquainted with military engineering," he is possessed of another accomplishment, yecept LYING.

TO THE EDITOR, &c.

Watertown, 7th August, 1838.

SIR,—In reply to your note of yesterday, requesting a statement of the escape of myself and fellow-sufferers, late in adversity, from the stronghold of the enemy in Canada, I beg leave to state that, on the 2nd of June last, fifteen of us were heavily ironed and sent from

No sooner was Lord Durham on board of the vessel which conveyed him to Europe, and had delegated the

Toronto to Fort Henry, Kingston, and confined in a strong room in the garrison, under a doubly sentry of the Regulars, and the daily inspection of a Bailiff, appointed by the authorities of Kingston.

To any who have visited the garrison, its appearance is impregnable; and on my first acquaintance I had imagined that it would take more powder to blow us out of it than I was able to calculate. On a closer examination matters appeared more favourable, and no opportunity was neglected in extending the inquiry in every instance that offered.

We were permitted, in about three weeks after our arrival, to walk for half an hour each day on the parade; and on one occasion the cell next that in which we were confined being open, myself and another person entered, partly to avoid the oppressive rays of the sun, and partly to see how the land lay around us. On being observed by the Bailiff, he ordered us out, but not before one of us discovered a trap-door at the end of a dark passage at one end of the cell. Being acquainted with military engineering, and being at this time tolerably acquainted with the plan of the garrison, the idea occurred that this passage had a subterraneous communication with the sallyport and gun-rooms for the defence of the ditch and the outworks of the fort, the port-holes of which we observed from the port-holes in the cell.

This discovery seemed to offer a hope, though other difficulties, apparently insurmountable in themselves, occurred, not the least of which was scaling the outer wall. In being taken to the garrison, some of our party observed a low point in this wall for the purpose of allowing a gun placed on the ramparts to bear upon any object approaching the shore, which appeared a favourable scaling-point. In examining the cell, we saw that it had a communication with the one we occupied by a strong panel-door, the recess of which was filled with solid masonry on our side four and a half feet thick. From all the subsequent observation and inquiry that lay in our power to make, an escape by mining a passage through this doorway appeared feasible; yet it was not till an answer was received from Montreal to an address presented to Lord Durham by a majority of the prisoners in the garrison, on his return from Toronto, stating that he (Lord Durham) had referred the address in question to Sir George Arthur, that a determination was agreed upon to place more reliance upon this passage and our own exertions, than in the Lieutenant-governor or Lord Durham, in whose hands we lay.

With these views, on last Friday evening (3rd inst.), after the

administration of the Government once again to Sir John Colborne, than the fire of rebellion, which had

Bailiff and guard had visited us for the day, I brought up the subject again in full meeting, pointing out the utter hopelessness of our case, and reported upon the north-west passage, as we called it, asking leave to commence the undertaking, saying,—

“Where’s the slave so lowly,
Condemn’d to chains unholy,
Who, could he burst
His bonds at first,
Would pine beneath them slowly?”

Leave was granted by a majority; and about four o’clock one of our party, as contractor of the undertaking, (and well and most satisfactory did he execute the work,) commenced the plan, which was to mine a passage level with the floor, two and a half feet square, through the masonry in the doorway, and when arrived at the door a panel and munton was to be removed by cutting out the groove on the inside, carefully preserving the moulding in front in order to replace the panel should the way out be found to be impracticable. The stones in front of the wall were numbered and carefully preserved, and the remainder placed under our beds along the walls of the cell, while a large stove in the apartment served to contain the dry mortar that crumbled, and was taken out on the occasion.

It has been stated in some of the Kingston papers that a crowbar was given us, and other assistance rendered from without. Such is not the case; we received nothing whatever in the way of assistance from any person; and the only tools used, or that we had to use, were a large crooked nail or spike about five inches long, and a piece of cast iron two inches wide, eight inches long, and shaped like the letter L, probably a brace belonging to one of the gun-carriages, both of which we picked up while walking on the parade, as we did the smallest trifle, even to a lead button of the soldiers’ dress that came in our way.

These two pieces of iron, which are probably ere this found in the stove into which they were put, and a stick of firewood, was all that was used in removing the masonry, which was effected, and the front stones replaced, filling the joints with mortar made from the dry material removed, so as to leave no traces of discovery, about nine o’clock in the evening. Saturday evening we set to again and removed the panel, and at six o’clock, a dark lantern being prepared, I had the pleasure of passing through, followed by two others of our

only been slumbering, broke out with fresh fury, and regiments were again called for from Nova Scotia, the

party, entering the trap-door and descending a narrow subterraneous passage by a ladder of some eight or ten steps placed under the trap-door; following this passage, we ascended to the level of the room we left by a ladder placed at the opposite end of the passage, and entered the works in the outer wall, thence through a narrow passage and four small rooms all studded in front with port-holes for musketry, thence by a short passage turning at right angles, and ascending a few steps into the gun-rooms, from whence we were enabled to survey the ditch and low point referred to in the outer wall. The gun-rooms are three in number, having each a mounted gun and a store of ammunition, with port-holes sufficiently large to admit a full-grown person, each of which is secured with an oak shutter, hung in a groove, and can only be opened on the inside. On raising the shutter an entrenchment fifteen feet deep was perceptible on the outside, right under the port-holes for the whole length of the gun-rooms, and faced with masonry, through which our passage lay. Not having the means of descending into this entrenchment, we returned and reported progress, and another visit was made at dawn next morning, all of which time a double sentry was placed on our door, four others were in different parts of the parade, and one on the ramparts.

It was then determined that a grand move should be made on Sunday night, notwithstanding the opposition of a few unwilling ones of the party, who however acquiesced in the end. The passage was closed up as usual for the day, and on the visit of the guards and Bailiff, every thing seemed to be in its proper place. Having all got ready at half-past ten at night, the procession began to move on slowly and quietly, all in their stocking feet, and with a very small portion of clothing and provisions, and arrived at the gun-rooms, when a halt was made until it could be ascertained where the sentry stood on the ramparts by his calling out "All's well," which was passed around every half-hour to all on guard, ending with the sentry on the rampart, where it began—whose duty it was to walk round the rampart every half-hour.

While in the gun-room, we distinctly heard the guard turn out to receive the grand rounds, who went round and found "all well." Soon as the sentry's position was known on the ramparts, a descent was made into the entrenchment by a rope fastened to the muzzle of the gun, and at a signal given on the outside, one of our party who remained behind to answer inquiries if the sentry should make any during our departure, passed out two planks through the port-holes,

93rd being at once ordered from Halifax, from Prince Edward's Island and Cape Breton. Arms and ammu-

which were ripped from a bench in the cell and lashed together, holes being cut eighteen inches apart to serve as a ladder in scaling the outer wall, and immediately joined the party in the gun-room, while another was examining the scaling point outside. At a signal given by him, the descent was continued; and at the time that all were out in the ditch, and had taken their places under the garrison wall, a storm was visibly gathering in the horizon. The moon was going down, and the sullen gloom of the firmament was beautifully illumined by fitful flashes of lightning, which showed our way in the total darkness of the storm as the pillar of fire did the Israelites in their escape from Pharaoh. We awaited the storm, and soon as the rain began, which it was expected would encase the sentry in his box, the ascent was commenced. The calculation was a good one, and answered our expectations. In a few moments the rain began to fall in torrents, all was enveloped in darkness, and in moving on, Mr. Montgomery met with a serious accident in falling into an entrenchment at one angle of the ditch, which rendered him almost unable to walk. He was taken out very much hurt, and is yet labouring under its effects. The ladder was applied to the wall within about 100 feet of the sentry on the ramparts, by means of which one ascended on the glacis, and a rope made from a portion of our bedding was suspended from above, which drew up all hands in a few moments, at which time the storm began to abate. The ladder was drawn up and cast away, and a quick march beat till about 100 rods north of the garrison; when a halt was made and all hands mustered, it was discovered that Mr. Parker was missing.

Observing him much agitated on reaching the glacis, it occurred that he might have fallen into a deep ditch, that lay within a few feet of our landing. I returned, accompanied by another, examined the glacis, and descended into the ditch, and after a most anxious search could observe no traces of him, nor can we account for the cause of his departure from us. We again joined the party, who awaited us, got on our boots, assisted Mr. Montgomery, by a person getting under each arm, took up a quick march, and in a little time fortunately gained the river road to Gananoque, just as the guards were crying out "all's well," at half-past twelve, we travelled till daylight, when we turned in and halted in the woods.

Owing to the loss of Mr. Parker, our plan of arrangements for crossing the river was disorganized; and seeing Mr. Montgomery quite helpless and dispirited, myself and two others of our party

nition were also sent from the great dépôt at Halifax to Quebec.

On Lake Ontario the large steamboat *Traveller* and the *Burlington* were chartered to convey troops, and that part of Lower Canada where the rebels were most numerous was freshly garrisoned to prevent the destruction of the locks of the Grenville Canal. Toronto was strengthened, and Kingston fully manned.

An act of grace was at the same time issued by Sir George Arthur to the deluded victims of unprincipled leaders, and the heads only having suffered the just

volunteered to remain with him, and bring him away, or share his fate. The remaining ten divided themselves into two parties, and left us for some favourable point down the river.

Mr. Montgomery's situation enabled us to make very little progress after having halted. On Wednesday night we succeeded in getting into a boat, and after passing several craft on the river, we put into a bay on Long Island, carried our skiff across, about a mile and a half, launched her on the other side, and arrived at Cape Vincent about six o'clock on Thursday evening, where we were received with marked kindness and hospitality by the inhabitants.

My letter being perhaps rather lengthy, I shall address you further at another time, and close with the names of all who have reached here:—John Montgomery, John Anderson, and Gilbert F. Morden, were sentenced to be executed, and had no commutation of their sentence. Thomas Tracy, Edward Kennedy, John Marr, William Stockdale, John Stewart, Walter Chase, and myself, had received no sentence; but as these things were all managed by the Executive Council, as the trials of Emmett and others were in Ireland forty years ago, by passing the sentence before the trial, there is no doubt in our minds but transportation for life to some dismal corner of the earth awaited us. Providence has, however, ordered it otherwise. It is said that three others have crossed at or below French Creek, which with Messrs. Parker and Watson, complete the entire number who left the garrison.

Very respectfully, your obedient Servant,

STEPHEN B. BROPHY,

Colonel of Engineers in the Patriot service of Upper Canada.

penalty of death, they were permitted to return. But Alonzo Merriman of Pellham, merchant, Aaron Winchester, yeoman, David Jennings, Chester Gillet, and Thomas Lambert, all of Pelham, labourers, concerned in the attack and plunder of the tavern at the Short Hills, who had absconded, were summoned to return and surrender, on pain of attainder for high treason.*

The mercy thus nobly shown, such is the perverseness of human nature, particularly when that nature is

* Those who had absconded after the Toronto outbreak, and hereafter named, were in like manner duly attainted, provided they did not surrender for trial :

John Rolph, M.P.P.	Henry Stiles.
Edmond Quirk.	William Fletcher.
William Lyon Mackenzie,	David M'Carty.
M.P.P.	Seth M'Carty.
Silas Fletcher.	Nelson Gorham.
Jacob Rymal.	Daniel Fletcher.
Richard Graham.	Alexander M'Leod.
John Mantack.	Cornelius Willis.
Joseph Borden.	Erastus Clark.
Joshua Winn.	David Gibson, M.P.P.
Jeremiah Graham.	Landon Wurtz.
Thomas Brown.	James Marshall.
Levi Parsons.	Alum Marr.
Jesse Loyd.	Joseph Clarkson.
Aaron Munchaw.	Dudley Wilson.

And those who had acted within the London district, viz. :

Charles Duncombe, M.P.P.	Jesse Paulding.
James Davis.	Joel P. Doan.
Eliakim Malcolm.	Samuel Edison, Jun.
Peter Delong.	Joshua G. Doan.
Orsimus B. Clark.	John Talbot.
Lyman Davis.	Abraham Sulton.
Henry Fisher.	Moses Chapman Nickerson.
Solomon Howes.	George Lawton.
James Malcolm.	John Massacre.
Pelham C. Teeple.	Elisha Hall.
Morris Humphrey.	

deteriorated by an imperfect education, was scorned ; for as the month of November, and the long dark nights approached, a new, a more extensive, better organized, and apparently more effective scheme of plunder, piracy, and bloodshed was secretly concocted and matured.

Such however was the accuracy, as in the former cases, with which paid informers and honest men detailed the proceedings of the Hunters' Lodges and the plans of Dr. Nelson, Mackenzie, and Co., that everything necessary to be done was soon done to meet the emergency.

Sir George Arthur, in Upper Canada, issued a Militia general order, stating that information had been received of a determination again to invade Canada from the shores of a friendly state, and that that state had failed to preserve peaceable relations towards these Colonies. Under these circumstances, the Lieutenant-governor again called upon the Militia to defend their country from lawless war, plunder, and devastation, assuring them that he was in full possession of the designs of the enemy, who had nominally among them many "who have not forgotten their allegiance to her Majesty, or their duty to their Canadian brethren, and only appear in the ranks of the brigands at present to save themselves from insult and violence."

The intentions of the American sympathizers (com-

Who were almost all American settlers or of American descent ; and those who had been indicted in the Gore district at Hamilton, viz. :

Michael Marcellus Mills.

George Washington Case.

George Alexander Clark.

Angus Mackenzie.

Joseph Fletcher.

John Vanorman.

Were similarly described, and the reader can form an opinion of the country and origin of nine-tenths of all these lists.

posed of citizens of the United States) were to make a grand attempt simultaneously to enter Canada from Detroit and Lake Erie to the State of Maine, which was embroiled at that moment in the Boundary dispute, and ripe for aggression, and which the exertions of Sir John Harvey and the Militia of New Brunswick and Nova Scotia alone kept under. Thus, instead of permitting five or ten thousand of these brave Militiamen to march, as they had splendidly offered, to the assistance of the Canadas, they were obliged to remain for the defence of their own homes.

By this extended line of operations, it was hoped the Queen's troops and Militia would have been paralyzed, and that the disaffected in both provinces would have been enabled to join the Patriots, and effect the subversion of British power on the American continent. The lands of the Colonists were duly parcelled out, and tickets of location given to the "Hunters."

As usual, however, there was a want of concert amongst the leaders, and the information given to the Government was clear, explicit, and so conclusive, that a party of rebels of Lower Canada, who had been pardoned, or had fled to the State of Vermont, were taken by a detachment of the Dragoon Guards and the 15th Regiment from Chambly, under Lieutenant-colonel Taylor, whilst deliberating in the house of Gagnon at Pointe à la Meule, about seven miles from St. John's, and near the boundary-line, forty-five degrees. Seven were captured, all armed with American muskets, cartouche-boxes, bayonets, and belts, with twenty rounds per man of ball cartridge. Amongst

them was a son of Gagnon's, and several inhabitants of St. John's were also arrested, the chief of them being Dr. Lacroix, who had been in prison all the former winter, and pardoned.

A night or two previous, domiciliary visits by the Patriots had been made at the isolated farms, and one French Canadian was obliged to contribute fifty pounds in hard cash to save his life and his premises. So fiercely did this spirit rage, that at La Tortue, seven miles from La Prairie, the houses of the loyalists were ransacked, and two respectable farmers, named Walker and Vitrey, were murdered in the night in cold blood, and in the most deliberate and atrocious manner; and the farmers were obliged, generally, to quit their homes for the protection of the nearest garrison.*

A party of the 7th Hussars came suddenly upon the perpetrators of these deeds of horror, and put them to the route. They fled into the woods; but two loyalist prisoners were fortunately rescued, and Walker's widow and child taken to La Prairie. When she arrived, the unfortunate woman was covered with her husband's blood. On the same night the rebels again appeared in arms in Beauharnois, and captured the steamer *Henry Brougham*, with the mail and passengers from Upper Canada. They also took prisoners Messrs. Ellice, Brown, Norval, and Ross. The seigniorship of Beauharnois belonged to Mr. Edward Ellice, son-in-law of Lord Grey. Simultaneously the Chateauguy River district was the scene of revolt; and a Magistrate, Mr.

* Such was the courage of the women in these isolated farm-houses that they often shared the danger with their husbands; Walker's wife loaded his piece for him.—EDITOR.

M'Donald, was wounded; and the River Richelieu, from St. Mary's downwards, towards the St. Lawrence, was again the universal scene of civil war.

A gallant achievement of the Caughnawaga Indians, who are domiciled opposite the Montreal shore, must be mentioned. The greater part of the residents of the village, bearing the name of the tribe, were assembled at church on the morning after the rising on the Chateauguy, when the chief was informed by an old squaw, who had been searching in the woods for a lost cow, that the woods were full of armed men, who were advancing upon the village. Unarmed, the Indians left the sacred edifice; and their gallant leader, immediately raising the dreaded war-whoop, seized the nearest rebel, from whom he wrested his musket. His example was instantly followed; and sixty-four, which was double that of the tribe present at this daring exploit, were disarmed, made prisoners, and brought to Montreal soon afterwards by the *La Chine* cavalry. I do not recollect the name of this heroic chief, but trust he received that, which an Indian so dearly prizes, a medal.

Just previous to this event, the steam-boat *Princess Victoria* had been employed to take from *La Prairie* four field-pieces, &c., to St. John's; and, as the night came on when she reached that place, it was deemed unsafe that she should proceed or embark the men, horses, and guns. During the night, combustibles were placed in several parts of the vessel's fore-castle, and fired; but the flames were fortunately got under. This timely discovery, and the detention of the gunners in the village saved it from destruction also, as it was

to have been sacked and burned if the troops had proceeded. At the same time, about thirty feet of the railway from St. John's was destroyed in the night, and the driver of the Quebec mail was arrested by twenty armed men, at Bout de l'Isle, but allowed to proceed, it not being the mail to Quebec with the dispatches of Sir John Colborne, which they alone wanted, and which they said would not escape them, as their party at Berthier would get them on their road.

The troublesome districts north of Montreal exhibited, as of old, the same scenes; and the city was in such a state of ferment, that about 4,000 Volunteers again enrolled themselves for its defence. His Excellency Lieutenant-general Sir John Colborne immediately proclaimed Martial Law in the District of Montreal, and the following persons were also arrested on the 4th of November, 1838:

Messrs. D. B. Viger,	Messrs. J. J. Girouard,
„ Charles Mondelet,	„ J. A. Labadie,
„ L. H. Lafontaine,	„ H. B. Weilbrenner,
„ John Donegani,	„ George Dillon,
„ François Des Rivières,	„ Goulet,
„ L. M. Viger,	„ Labelle,
„ Dexter Chapin,	„ Labonte,
„ François Pigeon,	„ Harkin,

who were chiefly people of rank and consideration, with several others of less consequence.

Dr. R. Nelson* published at the same time the follow-

* Having first instigated the peasantry at St. Ours, St. Denis, St. Charles, St. Michel, L'Acadie, Chateauguy, La Prairie, Napierville, Beauharnois, &c., to assemble again in rebellion. In fact, the

ing Proclamation, which I should not think worth copying, as in the case of Mackenzie's, if it did not happen that it served, and still serves, to convince the French Canadians that their interests were not much thought of by the revolutionary leaders. After a long preamble, setting forth the tyranny and oppression experienced from the British Government, and stating that Divine Providence had permitted them to put down that Government in Lower Canada, it proceeds thus :

" We, in the Name of the People of Lower Canada, solemnly declare :

" 1. That from this day forward, the people of Lower Canada are absolved from all allegiance to Great Britain; and the political connection between that power and Lower Canada is now dissolved.

" 2. That a Republican form of Government is best suited to Lower Canada,—which is this day declared to be a Republic.

" 3. That under the Free Government of Lower Canada all persons shall enjoy the same rights; the Indians shall no longer be under any civil disqualification, but shall enjoy the same rights as all other citizens of Lower Canada.

" 4. That all union between Church and State is hereby declared to be dissolved, and every person shall be at liberty freely to exercise such religion or belief as shall be dictated to him by his conscience.

" 5. That the feudal, or seignorial tenure of land is

whole section of country between the Richelieu and Yamaska rivers was in insurrection, and west of the Richelieu from Contre Cœur, Vercherre, and Belœil.

hereby abolished as completely as if such tenure had never existed in Canada.

“ 6. That each and every person who shall bear arms or otherwise furnish assistance to the people of Canada in this contest for emancipation, shall be, and is, discharged from all debts due, or obligations, real or supposed, for arrearages in virtue of seigniorial rights heretofore existing.

“ 7. That the *douaire coutumière* is, for the future, abolished and prohibited.

“ 8. That imprisonment for debt shall no longer exist,—excepting in such cases of fraud as shall be specified in an Act to be passed hereafter by the Legislature of Lower Canada for this purpose.

“ 9. That sentence of death shall no longer be passed or executed, except in case of murder.

“ 10. That mortgages on landed estate shall be special; and, to be valid, shall be enregistered in offices to be created for this purpose by an Act of the Legislature of Lower Canada.

“ 11. That the liberty and freedom of the press shall exist in all public matters and affairs.

“ 12. That trial by jury is guaranteed to the people of Lower Canada, in its most extended and liberal sense, in all criminal suits, and in all civil suits above a sum fixed by the Legislature of the state of Lower Canada.

“ 13. That as general and public education is necessary, and due by the Government to the people, an Act to provide for the same shall be passed as soon as the circumstances of the country will permit.

“ 14. That to secure the elective franchise, all elections shall be by ballot.

“ 15. That, with the least possible delay, the people shall choose Delegates, according to the present division of the country into counties, towns, and boroughs, who shall constitute a Convention or Legislative Body, to establish a Constitution according to the wants of the country, and in conformity with the disposition of this declaration, subject to be modified according to the will of the people.

“ 16. That every male person of twenty-one years of age, and upwards, shall have the right of voting as herein provided, and for the election of the aforesaid Delegates.

“ 17. That all Crown Lands, also such as are called Clergy Reserves, and such as are nominally in possession of a certain Company of Landholders in England, called ‘The British North American Land Company,’ are, of right, the property of the State of Lower Canada, except such portion of the aforesaid lands as may be in possession of persons who hold the same in good faith, and to whom titles shall be secured and granted, by virtue of a law which shall be enacted to legalise the possession of, and a title for, such untitled lots of land in the townships as are under cultivation or improvement.

“ 18. That the French and English languages shall be used in all public affairs.

“ And for the fulfilment of this declaration, and the support of the patriotic cause in which we are now engaged, with a firm reliance on the protection of the

Almighty, and the justice of our conduct, we, by these presents, solemnly pledge to each other our lives, our fortunes, and our most sacred honour.

“ By order of the Provisional Government.

“ ROBERT NELSON, President.”

The British reader will scarcely believe that such a document ever had existence, or that an Englishman in the humble situation of Robert Nelson could have been so daring as thus to have braved the power of the British Queen ; but so it was, and luckily it did the utmost injury to the cause it pretended to espouse, for the French Canadians saw that at one fell swoop all their cherished usages and their religion would be sacrificed to an insane desire of becoming an integral portion of the Republican States of America.

Burnings, murder, and plunder followed this delectable document ; and such was the state of things, that two steam-boats, the *Charlevoi* and the *Britannia*, were chartered on the Richelieu, for the Patriot service, and a run made upon all the Montreal banks. But Dr. R. Nelson had one of Wellington's best generals to contend with, active in the field and energetic in the council-chamber, Lord Seaton, who immediately took measures to secure these steamers and to keep open the interrupted mail communications, whilst it was understood that every town or place in which the rebels made head, would meet the fate it deserved, by being rased to the ground.

The state of Montreal and other places, in which an insidious foe lurked, may be conceived when it is known that the inhabitants seldom rested tranquilly at

night, and were obliged for a time to keep lights burning in their windows, to assist the troops in case of alarms, whilst additional arrests, too numerous to detail, were continually made.

On the 5th of November a supply of a 6-pounder and ammunition was embarked by the Patriots on board a schooner, at Rouse's Point, on the Champlain, close to the lines. This supply was for the headquarters of the French Canadian rebels, at Napierville, in Canada, and Dr. Côté with Gagnon were ordered to drive the British Troops from the famous mills at La Colle, which occupied the pass by which Napierville was to be reached. Accordingly a body of about 400 rebels prepared to cross the lines from Alburg and Caldwell's Manor, and halted, on the night of the 5th, in the houses close to Lake Champlain and to the Boundary line. On Tuesday morning the 6th Nov. 1838, at about ten o'clock, the attack commenced on La Colle Old Mill, and the Volunteers, who were on piquet in advance, were driven in. The post was defended by Colonel Odell; and the rebels receiving a check, he immediately sent for Major Schriver and a reinforcement of Volunteers.

The Volunteers now attacked in their turn, and captured the 6-pounder, 250 stand of arms, and a quantity of ammunition, killed 11 of the Patriots, and took 8 prisoners; the rest escaped across the lines, where they could not be followed without violating the neutrality. Two of the Volunteers were killed and two wounded, and much praise was given to the Volunteer Militia Companies, commanded by Captains Weldon, March, and Fisher.

The attempt to open a communication with Nelson and his grand army having failed, Nelson marched, on the morning of the 9th, from Napierville, against the British position of Odell Town, with a view of securing that communication with the United States, which was of the most vital consequence to himself and his officers, their safety being utterly compromised. His force consisted of 800 men, armed with muskets, and 200 with pikes and swords.

The force to defend Odell Town was not more than 200 bayonets, all Militia Volunteers. Fortunately, Lieutenant-colonel Taylor,—one of the Special Service officers, who had been purposely sent from England, to organize the Militia,—arrived on the spot just in time to assume the command of this little band.*

Nelson commenced the action at a quarter before eleven, A.M., with his whole force, by firing upon Captain Welden's advanced piquet. Lieutenant-colonel Taylor concentrated his men upon the Methodist chapel of Odell Town, and the enemy surrounding him kept up an incessant fire for two hours and a half upon the post thus well-chosen.

The Volunteers, nothing daunted, sallied out several times; and the action ended by the sudden retreat of the insurgents, who left 50 dead men on the field. Captain M'Allister, of the Volunteers, and 4 men were killed, and Ensign Odell and 9 privates wounded.

Thus the Canadian Militia again showed that British spirit is not to be cowed or tamed, even after it has nearly been exhausted, as it was here, by constant

* Colonel Taylor, a dashing officer, who afterwards fought and fell in one of the battles in the Punjab.—EDITOR.

watching and harassing duties. The Militia used the very cannon which they had taken at La Colle from the rebels, with dreadful effect; for it is said that upon the advance of Nelson's men, in columns, up the road leading to the chapel, the first discharge of this gun, with grape, cleared a lane in the ranks ten feet wide. They had only two soldiers of the regular army * present, a sergeant and a private, who served this gun with the Volunteers; and to show the gallantry of the thing, it was only fired three times, from the circumstance of its being outside of the chapel, and the constant shower of balls poured against it, to render it useless or to retake it.

Still the main body of the insurgents occupied Napierville, 4,000 strong, and Sir John Colborne having marched against it, the whole took to their heels, followed by the cavalry in pursuit (and many throwing away their arms in their rapid and successful flight on the 10th of November) from daylight to about seven o'clock. The troops in the field on this occasion composed a magnificent division, consisting of twelve field-pieces, with Major-generals Sir James Macdonell and Clitherow, the King's Dragoon Guards, 7th Hussars, Volunteer Cavalry, Grenadier Guards, 15th, 24th, 71st, and 73rd Regiments.

Beauharnois was however still occupied; and on the 10th of November, Lieutenant-colonel Carmichael, of the Particular Service, and Major Phillpotts, of the Royal Engineers, acting as Assistant Quartermaster-general, with 22 men of the Royal Sappers

* Sergeant Beatty and Private Devlin of the Royal Regiment, both severely wounded.

and Miners, 1 Captain, 3 subalterns, 4 sergeants, 2 buglers, and 120 men of the 71st Regiment, and 1,000 of the Highlanders from Glengarry, under Colonels Macdonell and Fraser, all Volunteers, were landed at Hungry Bay, and soon dispersed the rebels; having, however, 1 man killed and 3 wounded of the 71st, but rescuing several of the loyalist prisoners, and recapturing the *Henry Brougham* steamer and the Upper Canada mail-bag, which had been carefully secreted from the insurgents.* After this defeat, Mr. Ellice, and his ten companions in captivity, who had been taken to Chateauguy, were released by the sudden flight of their guards, whilst on the road to Napierville, upon their hearing that that place had been evacuated. But Mr. Ellice's splendid settlement, and several farmhouses, were burnt,—and all along the Chateauguy river, burning and woe filled the air for several nights.

Sir John Colborne, by the advice of his Special Council, and having found that decisive measures alone would relieve the country, as there were then between 600 and 700 prisoners at Montreal, quartered the troops on all the disaffected villages, ordered a general search for arms, and issued four ordinances, suspending specie payments by the banks, authorizing the arrest of rebels and the suspension of the Habeas Corpus Act for a limited period; also the erection of tribunals, to try, and punish those engaged in the

* The mail contained a large sum in bank-notes, which a lady on board most resolutely rolled up in her *bustle*, and thus the insurgents missed a rich harvest, even had they found the mail, which the Captain had hid.

rebellion, and the seizure of all arms and munitions of war, &c.

Up to this time, excepting threats, the grand simultaneous scheme of conquest had not developed itself in Upper Canada anew; but Mackenzie, Theller, Dodge, Wolfred Nelson, and those who had returned under Lord Brougham's Act from Bermuda, had attended public sympathetic meetings in the city of New York, headed by the celebrated Dr. McNeven. But the New Yorkers were not prepared for such an extensive display of Canadian patriotism, and they met with very little countenance,—the wealthy, the intelligent, and the leading men of the city affording not the slightest countenance to their wild ravings about Canadian freedom.

The drama was, in fact, nearly acted out, and the curtain about to drop upon the scene in which so many "Patriots" had flourished, but not until Upper Canada was to receive a final lesson,—a lesson which, to this day, she has not, nor will she ever forget.

I must detail it from the evidence of others; for although then in a situation in which I should necessarily have been an actor, I was, from the fatigues and exertions of prior events, unconscious of all sublunary affairs, having lost the use of the faculties of mind and body so completely as to have passed three months unconscious almost of my own existence. I do not mention this to enhance my individual exertions, but as an additional proof of the lamentable consequences of a civil war, and as one of thousands of instances of effects still operating amongst the Canadian population similarly

severe, or which ended only with the cessation of being.

The serious farce of the conquest of Canada now shifted its scenery to Prescott, a flourishing commercial village on the St. Lawrence, just above the Rapids of the Long Sault, where water communication again becomes uninterrupted with the Lake Ontario.

Here the department under my orders had been engaged in constructing a square tower of considerable size, to replace the ruined Fort Wellington, and to check all attempt at invasion in that quarter from the United States. It was nearly finished, when intelligence was received that a strong body of American sympathizers from Oswego and the neighbouring country, bordering on Lake Ontario and the St. Lawrence, was determined to take it.

They embarked at Oswego, on board of an immense American steamboat, the *United States*, and having been joined by two schooners full of men, at Sackett's Harbour, proceeded down the St. Lawrence. I must state that this steamboat, the *United States*, was of enormous size, and built to rival the *Great Britain*, on whose decks 1,200 men have been seen, and which was so spacious that a regiment, with its horses, baggage, and field equipage, was frequently embarked in it when changing quarters. The *United States* had, however, never before been used for warlike movements, and was a trading vessel between the American and the British lake and river ports only.

To account for the breach of confidence displayed in permitting her to be made use of by the sym-

pathizers, it was stated by the Captain and others, that they had seized her; a statement so notoriously without foundation, that she never again dared to appear at Kingston during the disturbances.

The object of this expedition was to attack Fort Wellington at Prescott, and then enter Canada.

No sooner, however, was it known that the brigands were in motion, than Captain Sandom, the British naval commander on the lakes, ordered a strict look out to be kept upon their movements, amid the Thousand Islands of the River St. Lawrence and as far as Prescott.

Lieutenant Fowel, R.N., in the *Experiment*, a little armed steamer, effectually checked the intended attack, and landed at Prescott, then garrisoned by Militia, under the command of Major Young, one of the Particular Service officers, distributed along the frontier to discipline and command that excellent force.

The piratical vessels, unprepared for such vigorous measures as those adopted by Lieutenant Fowel, took shelter on the American shore at Ogdensburgh, exactly opposite to Prescott, which shore was lined with thousands of people, for several days, eager to witness the invasion and its results.

The next day the marauders took heart of grace, and having dropped down the river a mile or two, landed at a place in Canada called Windmill Point, where there was a lofty stone windmill, built very solidly, and three strong stone houses. The position was a good one, on a small projecting point of the St. Lawrence, entirely out of range from Fort Wellington.

The road to Lower Canada ran behind the windmill which is near the edge of the rather steep bank of the river, on a slight eminence, up which the road passed. Thus the windmill commanded both the land and water approaches, and was covered on the land front by the strong stone houses on the opposite part of the road, one of which was built at right angles to the others on the side of Prescott, and thus formed a sort of outwork, well flanked.

The pirates, however, not liking the look of things, and not being joined by any of the Canadians, as they expected, commenced immediately to strengthen their position by throwing up slight earth-works to cover their guns and men employed in keeping open their communications with each other, and threw in a large quantity of ammunition to their tower of strength.

A circle of observation was also formed by the brigands on the neighbouring fields, which somewhat overlooked the position; and Major Young, finding that they were determined to hold the mill, mustered his Militia force, with the small detachments from the Royal Marines and 83rd Regiment, sent from Kingston. His force consisted of two columns of attack. The right, under Lieutenant-colonel Gowan of the Queen's Borderers Volunteer Militia, was composed of 44 men of the 83rd, 150 of the Queen's Borderers, and 100 of Colonel Martle's Regiment of Stormont Militia. The left wing, commanded by Colonel D. Fraser, with a company of Glengarry Highlanders under Captain George Macdonnel, Captains Jones and Fraser's companies 2nd Grenville, and 100 men of the Stormont Militia, and 30 men of the Royal Marines.

The troops advanced at a quarter before seven in the morning of the 13th November 1838, to drive the enemy from the extended lines which he had occupied behind the stone walls which divided the fields and inclosures for a considerable distance round the mill; and Captain Sandom, having arrived from Kingston in the *Victoria* steamboat at two o'clock in the morning, determined to combine his operations on the St. Lawrence with those of Major Young on the land, thus entirely surrounding the windmill.

The sympathizers fought desperately, and retreated from behind the stone walls very slowly, picking off leisurely numbers of their opponents with their rifles; and as no field-guns were in possession of Major Young, and finding that no impression was made on the mill from the cannon of the armed steamboats, at three P.M., after driving the brigands into the mill, he drew a strong cordon of Militia round it.

Lieutenant Johnson, of the 83rd, leading his little band of Regulars into the thickest of the fight near the mill, had just climbed the bank near the road, when he was picked off by a rifle-ball, being in a blue frock and his men in red.*

Lieutenant Dalmage, of the 1st Regiment of Grenville Militia, whilst emulating the zeal of the Regulars, was also killed. Lieutenant Parker of the Royal Marines, and 16 Marines wounded; as were Lieutenant Parlow of the 2nd Dundas Militia, and Ensign Macdonald of the Loyal Glengarry Highlanders, with 45 non-com-

* In India and elsewhere many casualties have happened from the officers and men not being more assimilated, as they were on the Peninsula, when under fire.—EDITOR.

missioned officers and privates altogether killed and wounded. The brigands suffered severely, and Generals Brown and Phillips were killed, and 32 prisoners taken. The conduct of the Royal Navy and Marines was beyond all praise.

The brigands being thus hemmed in, and Lieutenant-colonel the Honourable H. Dundas, commanding the 83rd Regiment, having left Kingston with four companies of that regiment, two 18-pounders and a howitzer, under Major M'Bean, Royal Artillery, took up a position 400 yards from the stone buildings on the 15th of November, assisted by Captain Randolph of the Royal Engineers, and a company of the 93rd under Major Arthur; and Captain Sandom, with two 18-pounders in gun-boats, co-operated on the river. The Royal Artillery soon made an impression on the stone houses, but the mill resisted all the cannonading. I saw it afterwards, and it had suffered very little; probably owing to its circular form, which caused the shot fired at an high angle from the gun-boats to glance off, as well as those fired at a depression from the land above it.* The cannonading having lasted more than an hour, the brigands began, however, to find it and a constant stream of musket balls to be rather unpleasant. They therefore held out a white flag when they saw the troops advance against the stone building which flanked the road; from which they, however, first poured a very destructive fusillade in the darkness which was rapidly coming on.

Eighty - six prisoners were secured, with sixteen

* In visiting Windmill Point, the power of resistance which circular defences possess, was very apparent.—EDITOR.

wounded men besides, and a large supply of arms, ammunition, twenty-six kegs of gunpowder, and three pieces of cannon. Several pirates escaped in the darkness and confusion, and hid themselves in some low brushwood on the bank of the river under the mill. Here, however, they were soon hunted out and secured by the Militia, and amongst them General Von Schultz, their leader, was secured. One soldier of the 83rd was killed; and the stone buildings having been burnt, a company of Militia garrisoned the windmill, which was armed with a carronade and otherwise strengthened afterwards, to prevent further use being made of it. Thirty-five were killed, making altogether, with the action on the 13th,—102 killed, and 162 prisoners, on both occasions.

The *Albany Argus*, in commenting upon this action, says—"Of the entire population ready to revolt, as they were taught to believe, only three joined them. In some instances, the people whose houses individuals visited to instigate revolt, seized upon them and consigned them to prison; and the Militia fought like devils. Excepting a Pole, by the name of Von Schultz, their generals, colonels, &c., to a man, abandoned them before crossing, and now shrink from the taunts of an indignant people."

This was strictly true; for the Generalissimo was taken sick, and the poor dupes were deserted by their vapouring instigators; whilst the Militia were with great difficulty restrained by Lieutenant-colonel Dundas from inflicting summary punishment on all the invaders.

The most unfortunate circumstances in the affairs at Prescott, were the deaths of Lieutenant Johnson and

Captain Drummond. Lieutenant Johnson was buried at Kingston, side by side with the brave private soldier who fell with him, amidst the tears and execrations of thousands of the inhabitants. The most shameful and depraved barbarities had been committed upon his body by the miscreants of the mill, whilst it lay under their power. We shall see afterwards that this mode of treating the slain British officers was universally adopted by the ruffianly crews of invaders. Captain Drummond, of the Glengarry Highlanders, was shot by mistake in one of the stone buildings.

The conduct of the Militia on this occasion was, as usual, excellent. At one time, it was said that five thousand Volunteers from all parts flew to Prescott. Lieutenant Fowel, R.N.; Mr. Elliott, mate, R.N.; and Lieutenant Parker, R.M.; were mentioned in the dispatches to the Admiralty.

The only simultaneous occurrence in Lower Canada worthy of remark was a rising at the Boucherville Mountain by the peasantry, commanded by Malhoit, which was soon put down by the Dragoon Guards and 66th, under Colonel the Honourable G. Cathcart* and Major Johnstone, when the latter captured one 6-pounder, two 3-pounders, 43 muskets, 50 pikes, 11 casks of powder and ball-cartridge, and 70 rounds of gun ammunition.

Sir George Arthur published another proclamation of a most spirited nature, and military tribunals were instituted to try the rebels in the two provinces.

Colonel Worth, the American Commander on the frontier, seized *The United States* steamboat and the

* A first-class cavalry-officer.—EDITOR.

schooners, and did his utmost to prevent reinforcements being sent over to the Windmill; whilst Bill Johnson and his son were arrested, and their boats captured. The President also issued a proclamation to enforce neutrality, in which these remarkable words were used: after stating that "disturbances had broken out anew in the two Canadas," which was exactly the reverse of the real state of things, for not a movement within had been made of any consequence, he proceeds to exhort the sympathizing citizens of the United States to desist from hostile invasion of Canada; and it is then observed that their projects are "fatal to those whom they profess a desire to relieve, impracticable of execution without foreign aid, which they cannot rationally expect to obtain," &c.

Sir John Colborne also issued proclamations instituting tribunals for the trial of the rebels in Lower Canada, and for extending martial-law to the disturbed district of St. Francis, and above all he commanded a solemn fast to be observed on the 7th December, 1838.

The Patriot flag, which was taken at the Windmill, had an Eagle and a Star, with the words "Onondago Hunters," "Canada Liberated."

The farce at Prescott terminated in the serious drama of the trial of the prisoners, by a militia general court-martial, at Kingston. A fortnight afterwards another similar exploit was enacted in the western district at Windsor, near Amherstburgh, opposite Detroit, where the "Patriots," having "stolen" the American steam-boat *Champlain*, crossed the river on the 4th of December, a few miles above that city, and marched down the Canadian shore upon the little

village, where they most gallantly burnt the British steam-boat, *Thames*, lying at the wharf, and a building occupied with stores, &c., murdered an unhappy negro who refused to join them, and, after a skirmish with the Militia, prepared to march on towards Sandwich, another village on the road to Amherstburgh. They took prisoners the small detachment of Militia at Windsor, which, however, soon effected its escape after shooting the leader of the banditti.

Another awful intimation of what the Upper Canadians had to expect, if the sympathizing Patriots could have succeeded in revolutionising Canada took place on this occasion.

Staff Assistant-surgeon Hume, of the British Army, having met these marauders on their march, although unarmed and in the act of offering surgical aid, which he conceived might be required after the firing, was brutally and inhumanly murdered, and his dead body mutilated, broken, and shamefully and disgustingly disfigured.

Upon intelligence of their being in possession of Windsor, Colonel Prince and his brave Militia, at Sandwich, advanced against them, and a most gallant, spirited, and successful attack being made upon the miscreants, they fled into the shelter and cover of the thick forest, leaving twenty-five killed on the field of action, and twenty-six prisoners; one private (a French Canadian) of Captain Elliott's company, was killed, and two more wounded.

The Militia engaged upon this occasion were, Nos. 1 and 2 companies, Volunteers under Captain Sparke, with the Essex Militia, under Captains Lesslie, Elliott,

and Thebo, and several gentlemen from Sandwich, with Captain Bell, of the Provincial Volunteers. After the action, Colonel Prince was informed that a strong body of brigands was at Sandwich, upon which he marched back to that place, where he was joined by Captain Broderick of the 34th and a field-piece, when the whole force again was put in motion, by other intelligence, upon Windsor, but after a long march the enemy was not to be found.

Amongst the prisoners was Mr. Joshua G. Doan, of the London District, a most notorious and active person, for whose apprehension a reward had been offered, and the others were chiefly Americans. Their number was about 450, armed with muskets, rifles, pistols, bayonets, and bowie-knives.

The person who bore their flag was shot by Monsieur Pierre Marnatelle, a French Canadian Ensign in Captain Thebo's company, chiefly composed of French Canadians, and the flag itself was taken by Lieutenant Rankin, of Captain Sparke's company. It was a tri-colour, with a crescent and two stars.

Colonel Prince, in his dispatch, mentions the following gentlemen as having distinguished themselves: Charles Baby, Esq. (a French Canadian), Joseph Wood, C. Askin, and W. R. Wood, Esqs., Mr. Grant, Editor of the *Sandwich Herald*, and Messrs. Gatefield, Laughton, and Paxfield of Sandwich.

Putnam, the leader of the sympathizers, was killed, and papers and documents, disclosing their plans, and the co-operation of several respectable citizens of Detroit were taken, and altogether the Militia had reason to be proud of the battle of Windsor.

I must not, however, in my duty as a military historian, pass over a circumstance that occurred, about which the press of the United States rang with censure.

Colonel Prince, an Englishman of property, who had settled in the Western district, was a Member of the Provincial Parliament and a Barrister-at-law. He, for eleven months, had been kept in a constant state of activity and alarm, had been threatened with assassination, and that his house and property should be destroyed. To such an extent had his anxieties been carried by his loyal exertions, that, it is said, and I believe truly, that one of his family, one the most dear to him, had been almost if not actually deprived of reason by continual alarms for his safety and that of the family generally. He commences his official dispatch, by saying, in language that every feeling mind must appreciate. "Sir, I have the honour to inform you, that yesterday at six A.M., an alarm was brought here that Windsor (or the ferry), a small village about two miles above this, was in possession of brigands and pirates from Michigan. Being extremely ill and worn out by constant fatigue, both by day and night, I had, for the first time, retired to my house, half a mile distant from this place (Sandwich) at two o'clock A.M., &c."

The action was at its height, Colonel Prince knew neither the plans nor the number of the pirates, he received intelligence that they had taken up a position which threatened his only cannon, his provisions, and his ammunition, in his rear at Sandwich, which he had left unprotected.

Dr. Hume and the negro had been most barbarously murdered in cold blood, the *Thames* steamer and a

house had been maliciously burnt, a brave French Canadian had been killed and two Militiamen wounded, and he was surrounded with a fierce band of desperadoes, whilst the people on the American shore, at Detroit, rent the air with cheers, to support the pirates, and threatened every moment to join them in overwhelming numbers. When his mind was thus occupied, when the result of the action was uncertain, he ordered four of the villains, with arms in their hands, to be shot, probably finding it impossible to restrain the summary vengeance of the Militia.

For this act, done by an officer of Volunteers who had never been subjected to military discipline, he was borne down by the whole force of the American press. I do not pretend to say that an officer used to scenes of combat would have so done, but I am persuaded, that like the gallant attack on the *Caroline*, it had an excellent effect, and I am at a loss to know, why a people in amity with another country closely bordering upon them, should permit their citizens of the lowest classes to send fire and sword, under the very eyes of the Government into an unoffending, unrefaliating, and peaceable community.

If the subjects or citizens of any Power were attacked by bucanears or pirates, would their Governments weigh how, when and where those bucanears or pirates were shot, hung, or disposed of? Assuredly not. Colonel Prince was exonerated by the voice of the Upper Canadian people, legally and universally, and an honourable Court of British Officers acquitted him of all blame.

To show the reader in England the abominable

system to which sympathy was so suddenly raised, I have only to state that the steam-boat *Thames*, which was burnt, was a mere trader, and then the only British boat on Lake Erie, and that a short time before the rebellion occurred, when she plied as the first British steamer on Lake Erie, when the Americans had half a hundred, I was on board of her, and visited the City of Buffalo in her, to show the Americans that Canada was following their example in extending commerce on the great inland seas of the West.

We were received with the wharves lined with people, who shouted "Long live George the Third." I suppose they meant the good sailor king. We were taken to the Eagle Tavern, treated and toasted. Alas, alas! no sooner did Mackenzie open his serpent tongue upon these same Buffalonians, than the same steam-boat, the poor *Thames*, became a victim to the Moloch of ambition.

A court-martial was ordered to assemble at London for the trial of the brigands taken at Windsor; and Sir George Arthur addressed the British minister at Washington, and issued a proclamation declaratory of his having so done, on the ground that the President's proclamation before alluded to, contained an expression injurious to the loyal Canadians, by its having stated that "Disturbances had broken out anew in the two Canadas," whereas the contrary was really the fact, and the citizens of the United States had invaded the country, and caused disturbance from without.

The two French Canadian judges, Bedard and Panet, having taken an active part respecting the obstacles thrown in the way of trying the Lower Canada rebels

and brigands, by the declaration that the suspension of the Habeas Corpus Act was illegal, were themselves suspended from office.

Mercy had, in fact, been too long practised, and it was now necessary to make more examples of the leaders of the invasions and commotions. General von Schultz, Colonel Martin Woodruff, a native of Salina, in the State of New York, Colonels Abbey and George, also American citizens, as were Sylvanus Swete, and Joel Peeler, were hung at Kingston for the Prescott outrage, with some others; viz., Christopher Buckley, Sylvanus Lawton, Russell Phelps, and Duncan Anderson, shortly afterwards; Joseph Cardinal and Joseph Duquette, Theophile Deolgue, Ambrose Sanguinet, Charles Sanguinet, François Xavier Hamelin, and Joseph Robert, the last four for the murder of Mr. Walker, French Canadians, were hung at Montreal for their conduct during Nelson's invasion; Hiram B. Linn, Daniel D. Bedford, and Abel Clark, concerned in the Windsor outrage, suffered the extreme penalty of the law early in the next year at London, in Upper Canada. In 1839 General T. J. Sutherland, T. R. Culver, B. F. Pow, A. W. Partridge, H. L. Hull, Thayer, Nathan Smith, Chauncey Parker, Colonel Dodge, and Doctor Theller, were confined in the citadel of Quebec, from which however the latter two escaped, as before stated, on the 15th of October, 1838; and a large body of rebels and sympathizers were consigned to the penal settlements of New Holland.

To show how unprovided with common sense the sympathizers were, and how they must have had their minds worked upon by the Mackenzie leaders, I have

only to remark, that after the battle of Windsor, the country being up in arms, the sympathizers could actually find no kind friends to transport them across the narrow strait within hail of the American shore, and nineteen unhappy wretches were found in the gloomy Canadian forest frozen to death, and without food, round the remains of a fire they had kindled ; and yet this in the only part of the country inhabited by French Canadians.

Several French officers had been seduced by the American sympathizers to take commands in Lower Canada, as well as some Poles, who said they had served under Napoleon ; and one of these deluded people published a long detail of the manner and matter of his appointment to a Brigadier-generalship, in which he showed the leaders in their true colours, and also exposed the system of the sympathizers, the robbery of churches and houses, and the abstraction of large sums from the French Canadians for the patriot service, which were never afterwards accounted for.

Von Schultz, who appears to have been a very brave but reckless adventurer, instigated these French and Polish officers to join the Lower Canadians ; and finding that the game was up when the magnificent little army, under Sir John Colborne, took the field against Dr. Nelson, he hastened to Upper Canada, where he commanded at Prescott, as we have seen, and ended his days bravely, without doubt, on the gallows at Kingston. His servant, a Pole also, was desperately wounded, and lingered in the Kingston Hospital for a length of time, showing even more firmness than his unhappy master.

The French officer who made the disclosures alluded to, had been a subaltern in the 15th Regiment of Light Infantry; his name was Charles Hinderling, and he stated that Mr. Duvernay had been the cause of his taking a commission in the patriot service with another French officer, who had been in the Anglo-Spanish Legion, Mons. Touvre. Hinderling suffered on the gallows, after a lengthened consideration of his case, as an example to foreign officers not to enlist in the hopeless cause of driving British power from her Transatlantic dominions. But in justice to Frenchmen, we must say, that those officers who did join the patriots were all mere homeless adventurers, and really unconnected with the French army.

John George Parker, Brown, Walker, and Wilson, all deeply engaged in the outbreak in Upper Canada, had been sent to New South Wales, but arrested in London by a mandamus, and their case re-argued as to the legality of their transportation from Canada to a penal settlement; in which, however, notwithstanding all the exertions of their British friends, they were unsuccessful. Parker's case rested mainly on letters found in the mail-bag at Kingston, addressed to Mr. John Vincent, the printer of a Radical Newspaper, and Mr. Augustus Thibodo, of the same place, in which he recommended an organization of the midland district, and the prospect of success in consequence of the soldiers being withdrawn.

Early in the ensuing year, and at the same time with the French officer, General Hinderling, who commanded in the attack on Odelltown, C. D. Lorimier, P. B. Narbonne, Amable Dunais, and F. Nicolas,

charged with participating in the murder of Mr. Walker, were hung.

More than half of the Prescott prisoners being youths under age, were pardoned by Sir George Arthur, and the rest sent to New South Wales from the state prison in Fort Henry.

It is true, but a most melancholy truth, that of the great body of sympathizing youths from the United States, nearly an hundred and fifty, who had at various times been taken prisoners, three-fourths had been brought up without any fixed religious notions, and they all really imagined that they were serving their country, as well as themselves, in attempting the conquest of Canada. They were, in fact, chiefly those restless frequenters of tavern bars, who begin smoking cigars and drinking spirits before nature has developed their perceptions of right and wrong.

CHAPTER V.

Condition of both Provinces in the year 1839, and until the Union.

LOED DURHAM's panacea for the absolute restoration of Lower Canada to a healthy state, was the Quintuple Union of the North American British Colonies, which will, some day or other, take place, but about which, at present, argument would be thrown away, as these provinces are not yet in a condition for it. What would French Canadians say to being swamped by British legislators from Nova Scotia and New Brunswick,—by the crude philosophers from the mercantile fishing community of Newfoundland, or by the little agricultural state of Prince Edward's Island? What a diversity of present interests would meet in council in the Chateau of St. Louis, which must then, for the convenience of all, be the place of meeting! British interests, of course, would predominate; but they would be so divided according to the wants and wishes of the different States of this Quintuple Alliance, that it would be wiser to avoid the collision for at least another half century.*

* The Halifax and Quebec railroad would unite the interests of the British American Provinces and rapidly advance them, by means of

Any person who has calmly viewed Colonial politics at their fountain head, must know that every Cis-Atlantic province of Great Britain has its own peculiar policy, and that in general the oldest settlers bear away the bell from the newer, who struggle violently for their rights. In Lower Canada, for instance, does the French Canadian ever dream of submitting passively to dictation from the English, whom, he fears, would thrust him out of house and home by the cultivation of the Eastern Townships? In Upper Canada, does the tiller of land yield submissively to the bureaucrats and the old family dominion, as they style all possessing office or long standing in the community? In Newfoundland, just emerging from a state of nature, does not the fisherman begin to perceive that where his forefathers existed only by the mere sufferance of a race of rich fishing merchants, and could not call an inch of the soil his own, that a change has come over the spirit of his dull dream, and that the Mercantocracy is yielding to that pressure from without, which wills that all British Colonies shall have the same just measure heaped up; whilst the very merchants themselves are no longer confined in their trade to a supply from the Cod Banks, but are extending commerce in every direction, and beginning to fix their abodes on the island, which is now, for the first time, coming into notice, and, in spite of 350 years of continued misrepresentation, has been declared by its Governor

well-organized emigration, &c. The St. Lawrence and Atlantic railroad, under the direction of the very able chief engineer, Mr. Gzowski, is rapidly "progressing" from Montreal towards Portland.
—EDITOR.

capable of holding up its head as an agricultural country; and that the fishermen, to be happy, must be induced to cultivate it largely, by having free grants of land?

So it is everywhere else,—Nova Scotia, New Brunswick, Prince Edward's Island, the West Indies,—all, all, have their internal divisions, and all begin to feel their importance; whilst Colonial Toryism and Colonial Radicalism are both equally impotent to sway the general destinies of the empire. In fact, colonial politics hinge upon so many littlenesses, as well as upon so much external greatness, that, excepting the Mother Country is likely to be engaged in foreign wars, by their internal commotions, no man at home gives himself much concern about the ever-varying shades of colonial politics, beyond the Ministers whose duty it is to watch their bearings, or the merchant whose resources are affected by them. For instance, who, in the name of fortune, would care twopence, beyond five or six mercantile houses in England or Scotland, whether the shade of politics in Newfoundland was foggy or bright, whilst there the utmost and the most absurd importance is attached to clique and party?

In like manner in Canada, the Family Compact and the Bureaucracy in Upper and Lower Canada, have been all-absorbing themes, whilst the local Government gets continually embarrassed by the pretensions of all sorts of adventurers, who think that their personal gratification is the price at which England is to hold her greatest Colony; whilst the important fact is overlooked that the British public neither feel nor care for these agitators.

A broad question at length starts up. How is Lower Canada to be managed? "By a Governor, with arbitrary powers," says your red-hot Tory. "By a union with the British population of Upper Canada," exclaims the more moderate Conservative. "By yielding everything to the people of French origin, and swamping the British settlers," roars the Radical. Difficult, indeed, is the choice out of this Pandora's box; and when the lid is forced, there is nothing but Hope left to work upon.

The most violent politicians in Colonies, those who arrogate and demand the greatest surrenders from the Governors of the troubled provinces, are invariably, whether Tory or Radical, those who resort to every scheme to force submission to their ultra views, and are always place or popularity-hunters, who harass and annoy through that powerful engine, a cheap press. In many of the Colonies, such is the vigour with which this engine is plied against the Governors, that it soon puts out the moderate fire enkindled in the bosoms of well-intentioned men, who care not to place themselves in the arena, where it plays afterwards. Thus, a good sound medium party is rarely formed. The press that would support such a party would not pay, because that press is chiefly fed by advertisements, and nobody, in a young country, cares to advertise in a paper which is not eagerly read.

Look at Canada; see the sacrifice of health, of life, which involves the post of administrator of that Government. It is no bed of down,—no bed of roses, the Vice-regality of that country; and so even of that most unknown land, Terra Nova. No man ever goes

to those Governments that comes away without many dear-bought days of existence subtracted from his term. And why? Why, if he has a firm, independent, determined, and unshrinking mind, he meets with constant annoyances and embarrassments. He can please no party, because all want to rule; and every aspirant for place has his *coterie* of minor and subservient followers at work. Let him be ever so good, so right-minded, and so determined to act "according to the best of his conscience and the custom of war in like cases," he must finally fall into the arms of some one party,—usually of the few who have contrived to keep the rule in their own hands; or else he must meet the fate of a late Governor-general of Canada, who, by trying to carry out that most honourable of all principles,—justice to a race hitherto kept in the back ground, has been forced into partnerships with a party diametrically opposed to the opinions he has been brought up in. But, as Milton so beautifully says, he

"Would ill become this throne,
And this imperial sovran'ty, adorn'd
With splendour, arm'd with pow'r, if aught proposed,
And judg'd of public moment, in the shape
Of difficulty; or danger, could deter
Him from attempting."

Whether his policy was right or not is another question.

The year 1839 was not remarkable respecting external events or internal trouble, like those which immediately preceded it in Canada; but to the active Governor-general, Sir John Colborne,* and the vigi-

* Who was sworn in as Governor-general at Montreal, on the 17th of January, 1839.

lance of Sir George Arthur, with the firm attitude of the Militia and the presence of the troops, may be attributed alone the check given to the sympathizers, who were banded more strongly and seriously, with the additional help of the disputed north-eastern boundary question, now revived at so embarrassing a time with more fury than ever, and which was conducive of a spirit which extended over the frame of society in the United States more difficult for its rulers to manage than all the other border troubles put together.

The firmness and the tact with which Sir John Harvey met the aggressions of the State of Maine are matters of history, and so far connected with Canada, that by his wise conduct the communications with that country were not only kept open by land, but troops were again spared from Nova Scotia, as the patriotism of the Militia of New Brunswick and that province defied foreign invasion.

In 1839 the whole frontier of Canada, from Maine to Michigan, was placed in a state of security by the re-establishment of all the important posts, and the erection of barracks in such places as were necessary to check the disaffected, or to afford assistance to the frontier; and the Militia were newly organized by substituting permanent corps for a certain number of years' service for those which had only been established for intervals of a few months, or for the emergencies of the moment.

The British reader will be surprised to find that in this year the Militia Army-list for Upper Canada alone contained eighty-three closely printed pages for the

officers' names only of one hundred and six complete regiments, with the full complement of officers and staff. The Incorporated Militia, formed, clothed, and officered as the line is, consisted of four battalions. The Provisional Militia, also called out for a stated time, consisted of twelve battalions; and there were also thirty-one corps of Artillery, Cavalry, Coloured Companies, Riflemen, &c., whilst most of the Militia corps had each a troop of cavalry attached to them. Thus, without at all distressing the country, 40,000 young men in arms, many of them well drilled under officers from the Regular Army, could at any time take the field in Upper Canada.

The Regular Army consisted of two troops of the King's Dragoon Guards, stationed at Niagara; three companies of the Royal Artillery, and two demi-field-batteries; twelve officers of the Royal Engineers, and one full company (100 men) of the Royal Sappers and Miners (at Niagara); the 24th Regiment at the Falls of Niagara; the 32nd at London; the 34th at Amherstburgh; the 43rd at Drummondville, near the Falls of Niagara; the 65th at Kingston; the 83rd at Kingston; the 85th at Sandwich; the 93rd at Toronto. In Lower Canada, four companies of Royal Artillery; one of Royal Sappers and Miners; a proportion of officers of the Royal Engineers; the 7th Hussars; the 2nd battalion of the Grenadier Guards, and the 2nd battalion of the Coldstream Guards (a brigade of the Household Troops 1,450 strong, commanded by Major-general Sir James Macdonell); the 2nd battalion of the 1st, or Royal Regiment; the 11th, 15th, 23rd, 66th, 71st, and 73rd Regiments; and an

immense force of Volunteers, the Lower Canadian Sedentary Militia generally, of course, not having been called out.

On the lakes Ontario and Erie a naval force was also established, under the orders of Captain Sandom, R.N., by arming steam-boats, hired or bought for the Government; and seamen and marines were sent out from England to Kingston. Thus, in 1839, Sir John Colborne found himself at the head of a force fully adequate to all emergencies, and entirely paralyzed the efforts of the sympathisers; and thus the country remained quiet, excepting occasional burnings on the frontier of Vermont, as that in the beginning of the year performed by Grogan, an American, who burnt the farm-buildings, &c., of the Loyalists residing on the Rouville-road, named Gibson, Johnson, Clark, and Mannie; but having been fired at by a patrol, the sympathizers escaped into the United States.

Mackenzie, who had been for some time in New York editing a paper calculated to keep alive the disturbances, finding very little support in that commercial city, betook himself and paper to Rochester on Lake Ontario early in 1839, and was at length imprisoned, both for his libels on the people of the United States, and for his assault upon the country of a friendly power.

The Legislatures of Nova Scotia and New Brunswick, each voted the sum of £1,000 for the support of the widows and children of those who had fallen in the late disturbances in Canada. The Maine boundary question agitated the public mind in the spring of 1839; but as this work professes to treat only of the internal affairs of Canada, and it would swell these

volumes to a great extent to enter upon that question, I shall pass it over; which will be of the less consequence, as it has since been entirely settled, and then the only territorial difficulty was that of the right of England to the country between California and Russian America on the shores of the Pacific; in which dispute, if the Americans act wisely, they will see that by colonizing the shores of the Pacific and by opening a road through the prairies of the west and the Rocky Mountains to their projected seaports, they will at the same time present a key to Russia to unlock the gate which Nature has set up in the Indian country between the Asiatic hordes and the American Anglo-Saxon race, which may hereafter pave the way for a second irruption of Tartars to conquer and people the New World.

How much better and more politic it would be to let England alone in her fur-hunting Establishments on the Pacific; even should she colonize that shore, for her colonists would interpose an impassable barrier to Russian advancement, which the resources of the United States for another hundred years must be incapable of withstanding, and it requires no great clear sightedness to perceive, that as England has made a permanent settlement on the opposite shores of China, the little belt of littoral left between California and the Russian settlements in America on the Pacific, is becoming hourly of infinite importance; and that a second Nootka Sound affair may not be so far off as may be at present imagined. Already (in 1847), the American papers say, that Mexico must yield California to pay her debt to the United States, and the President's message has just very clearly informed us that

the Nation have not lost sight of their claim to the Columbia. I should not be at all surprised to find at least, a portion of California occupied by the keen foresight of American policy; but I should hope that Great Britain will never permit the Pacific Ocean to be closed along the whole American shore to her commerce and colonization. The furs of the Hudson's Bay territory should at least be shipped from British ports on the Pacific for the Chinese Mart, and the noble forests of the most gigantic pine timber in the whole world, remain as they actually are, British property.*

The period of Canadian history was now arrived, when Lord Durham having left his throne, and having been succeeded by the renowned warrior Sir John Colborne, and that warrior having brought his military arrangements to a close, was to be succeeded in his civil administration by a gentleman whose chief talent had been displayed in the great commercial world; amidst those royal merchants of England, who are verily kings and princes of the earth, and before whom all minor principalities, thrones, dominions, powers, and virtues of commerce sink into insignificance.

Lord Durham had closed his splendid but unsatisfactory reign by declaring that he entertained, "no doubt as to the National character which must be given to Lower Canada; it must be that of the British

* The American colonization about the Great Bay of St. Francisco, consequent on the proceedings at the "gold diggings," and the retention of territory by Britain, on the West coast, have realized the above ideas.—EDITOR.

Empire; that of the majority of the population of British America; that of the great race which must in the lapse of no long period of time, be predominant over the whole North American continent, without effecting the change so rapidly or so roughly, as to shock the feelings and trample on the welfare of the existing generation, it must henceforth be the first and steady purpose of the British Government to establish an English population, with English laws and language, in this province, and to trust its Government to none but a decidedly English Legislature."

Able and sound reasoning follows this declaration, and Lord Durham shows that the French Canadian of gentle blood, and the French Canadian peasant would benefit by this change; inasmuch, as the former is at present excluded by the tenacity with which he holds to a foreign language, from participating freely in the offices of state, and in the higher walks of the learned professions in a British colony, whilst the peasantry's rude and equal plenty is fast deteriorating under the pressure of population within the narrow limits of cultivation to which their absurd adherence to barbarous and obsolete feudal laws and customs has confined them.*

This reasoning is founded on the rock of truth; it is downright madness to imagine for a moment, that an isolated remnant of the great French nation, unconnected now, even by family ties, with that

* Twenty years ago there was a great export of grain from the Chambly Valley, but from the bad and exhausting system of agriculture pursued there, food is now required to be imported from Canada West.—EDITOR.

empire, can remain continually within the pale of an exclusive system; that they, in short, can expect long to continue under those feudal laws and customs which have for ever expired in young France; whilst, at the same time, they are hemmed in, in their former happy valley, by two equally enterprising races of Saxon origin, one branch of which has for ever quashed the remnant of French power and of feudal folly in the southern section of the American continent.

It was argued in a journal, confessedly the best informed amongst those published at Quebec, that Papineau and his followers never dreamed of a *Nation Canadienne*. What, then, did he dream of? Nelson's proclamation says, that Lower Canada was to be a Republic, and abolished feudal laws and the predominance of the Catholic religion with a stroke of the pen; but Papineau had previously called the young blood to arms, for the purpose of constituting a Canadian nation.

Supposing that the rebellion had been successful, would the French Canadian peasantry have seen their religion trampled upon, and all their old associations trodden in the dust. Never! Nelson opened their eyes, and, henceforward, they never sought separation from England; and why? because they found that the power of France was wholly unavailable; and that even if they achieved a temporary triumph, it must have been at the expense of joining their star to those of the twenty-seven States, which their British neighbours in Upper Canada would not have borne very quietly.

I have said before, and I say it again, that proper treatment and calm reflection will assuredly maintain the peace and the loyalty of the French Canadian, who is, although somewhat antiquated as to knowledge of the world, in the main, an excellent fellow, from whose aid, excepting only a very few borderers, who have caught their infection from too close proximity, the United States would never, in case of a war, derive much benefit.

Lord Durham, in his celebrated Report, suggested the following great and radical alterations in the mode of governing Canada :

1. The union of the two Provinces, with power to add the other colonies.
2. Every public officer, excepting the Governor and his Secretary, being made responsible to the people ; but the Governor to have no hopes of assistance from home in case of disagreement.
3. An enlarged and sound system of colonization.
4. A new division of electoral districts.
5. Elective bodies in each district subordinate to the legislature, to exercise complete control over such local affairs as do not come within the province of general legislation.
6. A general executive, and a supreme court of appeal for all the North American colonies.
7. The other establishments and laws of the two Canadas to be left for consideration of the united legislature.
8. Security for the existing endowments of the Roman Catholic church in Lower Canada.
9. A revision by Parliament at home of the constitution of the legislative council, so as to prevent the repetition of collisions with, and to ensure a useful check upon, the popular branch of the legislature.
10. An imperial officer to superintend the management of the public lands upon a new plan.
11. The concession of all the revenues of the Crown, excepting those derived from the lands, to be at once given up to the united legislature on the concession of an adequate civil list.
12. The independence of the judges.

13. All money votes to originate with the Crown.
14. The repeal of past provisions respecting the clergy reserves, and the application of funds arising from them.

These were the legacies His Lordship, who acknowledged the loyalty of the mass of the Colonists, left to his successors; and it will be seen, that they have been working at them ever since to a very great extent, and that, in fact, successive Governors-general have, until the present moment, grappled with the difficulties which they presented.

The suggestion of the union of Upper and Lower Canada was warmly debated in the Upper Canada Parliament, in the spring of 1839, and at length, after much opposition, was recommended by that body.

The Attorney-general, Hagerman, opposed uniting the two Canadas, and suggested a general union of all the North American provinces into a separate kingdom, under a viceroy, upon the same principles as that of Ireland.

The Solicitor-general, Draper, upheld the union, upon condition,—

1. That the seat of Government should be in Upper Canada.
2. That all Lower Canada, east of the Madawaska River, and south of the St. Lawrence, consisting of the counties of Gaspé, Bonaventure and Rimouski, should be attached to New Brunswick.
3. A proper qualification for members to be fixed by the act of union.
4. The act not to make void any of the appointments of the present legislative council.
5. That the number of members from Upper Canada should be sixty-two; from Lower Canada fifty; and that the elective franchise should be confined to those holding land in free and common soccage.

6. A new division of Lower Canada into counties.
7. The use of the English language only in all public proceedings.
8. Courts of Appeal and Impeachment to be within the United Province.
9. Surplus of post-office revenue, together with casual and territorial, and every other branch of revenue, to be under control of the Legislature.
10. Courts and laws to remain in their present places and modes until otherwise provided for,
11. Debt of both Provinces to be chargeable to United Province.
12. Legislature to have power to originate and reduce customs and excise duties, subject to certain restrictions, similar to those of 42nd sect. 31st George III. chap. 31.
13. That the principles of the Constitution, with these exceptions, remain the same as contained in 31st George III. chap. 31, inviolate.
14. That two Commissioners proceed to England.

Which resolutions were carried.

The Parliament in which these resolutions were mooted, sitting until the 11th of May, was prorogued, after passing an act to re-invest the clergy reserves in the Crown, which gave the Home Government the power of settling a question, the most vexed and troublous of any it had had to deal with, respecting Upper Canada.

His Excellency, Sir John Colborne, after eleven years of active service to the State in Upper and Lower Canada, was relieved on the 19th of October, 1839, in his high and important office of Governor-general, by the Right Honourable Charles Poulett Thompson, late M.P., and President of the Board of Trade.

Mr. Thompson opened the Parliament of Upper Canada in person, on the 3rd of December, 1839, and promulgated the celebrated despatch of Lord John Russell, respecting the responsibility of officials

to the Governors of colonies, and declared that the union of Upper and Lower Canada was to be accomplished.

Thus ended the year 1839. Sir John Colborne returned to England, and received the dignity of a baron of the United Kingdom, with the title of Lord Seaton,—a title which was earned by his talents, his undeviating patriotism, and his unceasing devotion to the cause of his country, the honour of the British army, and the firmness with which he had ever upheld the glory of the British sceptre and the true interests of religion and order; leaving in Canada an undying name, and a renown only to be paralleled with that which he had gained under the renowned Moore and Wellington.

CHAPTER VI.

The Union — Government of Lord Sydenham — his Death, and Government of Sir Charles Bagot — embracing the years 1840, 1841, and 1842.

WE have seen that the recommendations of Lord Durham were to form the basis of the future administrations. Mr. Thompson, accordingly, commenced his reign by declaring that the union of the Canadas was a *sine quâ non*; and therefore the excellent Lieutenant-governor, Sir George Arthur, yielded to the force of circumstances, and, abdicating his high office, he was rewarded by a lucrative government in India, and the Governor-general afterwards was raised to the peerage by the titles of Baron Sydenham and Toronto,—the former from the name of a delightful little suburban Kentish village, the latter from the capital of Upper Canada at that time. I shall therefore designate Mr. Thompson, in the remainder of this political sketch, by his title of Sydenham.

His Lordship, actuated by the desire to make the Canadas one British province, removed the seat of government after a time to Kingston, which was nearer to the Lower Province by 180 miles than Toronto, and less subject to invasion. His policy was evident. To

carry out the scheme of Government with which he was entrusted, it was necessary to conciliate the Reformers of Upper Canada, so as to divide them, if practicable, from the excited French Canadians of Lower Canada, and thus hold a balance of power. He found Upper Canada in a singular position. Two-thirds, at the very least, of its permanent population were in favour of connection with the mother country, whilst the remainder, who were chiefly of American descent, desired still to see it a state of the Union. All the frontier population of the States of Michigan, Ohio, Pennsylvania, New York, Vermont, and Maine, were ready to assist the views of the latter party, and keeping them constantly in mind, were still drilling, preparing arms, collecting contributions, and spreading their emissaries throughout the province, unsettling the minds of the people, and persuading the soldiers to desert.

Of the two-thirds first mentioned, a great number were dissatisfied with circumstances wholly unconnected with the Government of the Mother Country, but which, if not attended to, would inevitably create discontent.

Of these circumstances, the clergy reserves had been a most prominent feature, and the management of the Crown Lands; the Family Compact at Toronto still was a bugbear, notwithstanding its evident fallacy, and the obstacles in the way of British settlers obtaining locations and votes upon the land they laboured, with the want of vigilance in preventing American teachers and preachers from occupying the public schools, and the paucity of the means for obtaining public education, were the most prominent grievances.

To remedy these things was not a very easy task; but it became necessary to calm all anxiety about the

future appropriation of the clergy reserves : so that the numerous members of the Scotch and Irish Presbyterian Church, the Wesleyan and other Methodists, and the Roman Catholics should at least be satisfied, without reference, otherwise than generally, to the infinitely split and finely-divided sects, which outnumbered either the Church of England, or that of Rome, as the Tunkers, the Dunkers, the Men of Peace, the Quakers, the Shakers, the Mennonists, the Moravians and the Swedenborgians, the Baptists, the Unitarians, the Antinomians, and the Multinomians ; for it is impossible to recollect the hundred legions of disputants upon the subject of faith with which Upper Canada was overspread. Year after year, hour after hour, had this vexed question troubled the peace of Upper Canada ; and the clamours of all parties, particularly of the Presbyterians, had rendered it necessary to come to a decision ; for the unsettled state of the lands which had been set apart as clergy reserves, composing, as they did, one-seventh of every town or village plot, and of every county or township, with those retained in a similar manner, as Crown lands, retarded the improvement of the country, kept the finest lands in a state of wilderness, prevented roads being opened, and consequently paralyzed settlement and cultivation.*

With respect to the Crown lands, Lord Durham had proposed that they should be subjected to the super-

* In the early stages of the controversy, it was limited to the two established churches of England and Scotland. Had the first of these consented to allow the latter a share, the subject would never have been discussed in the way it has been since ; none of the numerous other denominations then put in any claim.—EDITOR.

intendence of an imperial, and not a colonial officer, and in this I believe he met with no other opponents than the local authorities; for whatever might become of the control of the revenue derivable from their sale, it is self-evident that an imperial officer would be best adapted to conduct the disposal of them with a view to assist emigration from the Mother Country.

The Family Compact has been a source of Radical uneasiness from the time that the enthusiast Gourlay wrote his three volumes on the subject of Canada, to the publication of Mackenzie's "Grievance-Book," and to the present moment, when even some of the public journals professing Tory principles have levelled their weapons against it. That it ever existed to the extent which Mackenzie would have made the world believe, we have already controverted, and now it is so far different, that upon the great question of the admission into the United Parliament of French Canadians who had been concerned in the rebellion it was in a most singular and unprecedented minority; nor was it able to cope better with the governmental views of Lord Sydenham, when he acted under a Whig ministry, as Sir Charles Bagot had acted under Tory rulers. Both endeavouring to tranquillize and secure Canada by arriving at the same end through different means, Lord Sydenham, by combining the Reformers of both provinces to support British supremacy, without giving undue power to the French Canadians, and Sir Charles Bagot, finding that such a combination was unworkable, going to the opposite extreme, and calling in the aid of the French Canadians to crush all opposition.

But more of this in its proper place. The next sub-

ject is the franchise to British-born settlers and education. The former, so reasonable in itself, has not yet been put on the only footing it should be put upon; for the only way of securing Canada is to make it essentially a British Colony; and thus every British settler should have the franchise as soon as he obtained land in the Colony, had paid a certain portion of the purchase-money, or had performed the settlement duties, and had cleared a defined portion.

With respect to education, some primal arrangements were made by Lord Sydenham for district and normal schools, and the setting apart a fund for that purpose; but much, very much, is yet to be done. Every school-master should be a born British subject, and should be compelled to teach from the usual elementary English books; for as it is, even yet, itinerant Americans, of the very lowest class, obtain the small schools in the interior, teach entirely from American class-books, and thus imbue the infant mind with an early dislike of British principles, and inculcate as religious notions the wild and visionary doctrines of Mormonism, of the Tunkers, Dunkers, and Mennonists; of the unknown tongue,—that most blasphemous attempt at imposture,—and of the thousand and one splinters into which the rod of religious discipline has been shivered in the United States, tending, in manhood, to make their scholars either enthusiasts or indifferents. At present, two-thirds, at the least, of the people of Upper Canada are an orderly, well-behaved, well-disposed race, and require only a certain and fixed system of things to make them the most comfortable and happy beings on the face of the earth, unburthened, as they are, either

by the exercise of power over them, or the pressure of taxation.*

To effect this happy consummation, and to retain them in their allegiance to a Mother Country they are so proud of their connection with and descent from; the causes of disquietude must be permanently withdrawn, or examined thoroughly into; the public money must be carefully directed into the channels of education and internal improvements; the British settler must be encouraged, and the American fugitive discountenanced; for Canada has everything to gain by holding fast to Great Britain, and everything to lose by alliance with the United States, of which she would become merely a paltry proconsulate.

The American territory is not overburthened with population, nor will it be for centuries; and therefore there can be no hardship in placing obstacles in the way of emigrants from that country to Canada; for if they still hold to the political faith in which they have been nurtured, it is somewhat singular that they should desire to live under a Monarchy; and if they do not desire to live under a Monarchy, they have clearly no moral right to disturb its peace and the comfort of its people by disseminating doctrines which will not obtain a footing in any portion of the British Empire. All angry passions should have been soothed by the mission of Lord Ashburnham; and yet, immediately after he

* The Irish National-school system has been copied with singular success, Messrs. Armour and Ramsay having introduced the books into Canada. Much however yet remains to elevate the character of the teachers, to improve the school-houses. Sectarian feelings were scarcely known in the common schools, but now a cry has unfortunately got up for separate schools on the part of the Romanists and some of the Church of England:—EDITOR.

put his foot on the English land again, we heard the President in his place in Congress pointing to another small black cloud which was gathering on the political horizon, adverse to British tranquillity. And was there a bosom amongst the *tiers état* of the American Confederation, from the Mississippi to the Penobscot, that did not beat in unison? Was there a man amongst the people who would not have marched to secure the Oregon Territory or to conquer Canada? And in case of any fresh disturbances, what power had the American Government over its frontier population,—could it control it,—who composed the last invading force? The answer is,—Americans from the outside, and Americans and their children from the inside.

Mackenzie was, as it were, the firebrand tied to the fox's tail. He was a tool working with others who were still supposed to be actively planning revolutions. For a time their forces were led by native Americans, who made so sure of a second Texan enterprise, that during the whole of the disturbances, their steam-boats on the Lakes invariably used the Texan flag,—“the lone star,” with the American ensign.* But the Upper Canadians, being contented with British institutions, were not to be forced into American ones; and perceiving clearly the advantages of the former, will hold them as long as they are able, well knowing, that notwithstanding the French Canadian attempt to revolutionize Lower Canada, the number of American sympathizers dis-

* Mr. T. R. Preston, in his work “Three Years' Residence in America,” 1840, says that “the sympathizers had a bank for aiding in the conquest of Canada, of £1,687,500 sterling, capital, which was to be reimbursed by the confiscation of Canadian landed property.” This I do not believe.—EDITOR.

persed in Western Canada, and the unquenchable lust of conquest on the American border, that although they would have much to do and suffer in the event of another war, yet, if Great Britain deserts them not in their hour of need, they will always triumphantly secure their soil from aggression ; whilst they are conscious that the Americans, on their side, will have also to contend with other foes than Britons and Canadians, —with their slaves, with the Indians, and with their own internal dissensions, which occasionally arrive at a much greater height than is believed by those who have not had an opportunity of observing them.

It is, therefore, to be fervently hoped that the Anglo-Saxon Americans, as they love to style themselves, will be content with their present condition and the glorious prospects of their future power ; and that in alliance with England, they will continue to uphold the universal cause of freedom, suffering the Canadian people to choose their own course, and “doing unto them as they would be done unto” by the rest of the world.

Let us now see what Great Britain proposed for the welfare of her children and subjects in Canada, by uniting the British and the French races, the Saxon and the Norman.

In the first volume of “Canada in 1841,” is an appendix giving, *verbatim et literatim*, the Act of 3 & 4 Victoria, cap. 35, for “The Union of the Canadas,” which, therefore, it will be unnecessary to repeat ; but, as I said before, few people read appendices now-a-days, and I shall therefore concisely show the leading features of this Act.

It provides for the Union under the name of THE PROVINCE OF CANADA.

For the Constitution of one Legislative Council and one House of Assembly, under the title of "The Legislative Council and Assembly of Canada."

The Legislative Council not to be composed of fewer than twenty natural born or naturalized subjects of the Queen, the tenure of such office being for life, excepting the member chooses to resign, is absent from his duties without cause or permission for two successive sessions, shall become a citizen or subject of any foreign power, or become bankrupt, an insolvent debtor, public defaulter, or attainted of treason, or be convicted of felony, or of any infamous crime.

The Speaker of the Council to be appointed by the Governor, who may remove him and appoint another. Ten members to constitute a quorum, including the Speaker.

The House of Assembly to consist of Members chosen from the same places as heretofore divided into Counties and Ridings in Upper Canada; but that the Counties of Halton, Northumberland, and Lincoln, shall each be divided into two Ridings, and return one Member for each Riding.

That the City of Toronto shall have two Members; and the Towns of Kingston, Brockville, Hamilton, Cornwall, Niagara, London, and Bytown, one each.

That in Lower Canada every County, heretofore represented by one Member, shall continue to be so represented, excepting Montmorency, Orleans, L'Assomption, La Chesnaye, L'Acadie, La Prairie, Dorchester, and Beauce. These to be conjoined as follows: Montmorency and Orleans into the County of Montmorency; L'Assomption and La Chesnaye, to be the County of Leinster; L'Acadie and La Prairie, that of Huntingdon;

and Dorchester and Beauce, that of Dorchester : and each of these four new Counties to return one Member.

The Cities of Quebec and Montreal, to return two Members each ; and the Towns of Three Rivers and Sherbrooke, one each.

The qualifications of a Member to be those of *bond fide* possession of landed estate worth £500 sterling.

The English language to be only used in all written or printed proceedings of the Legislature.

The passing of any Bill to repeal the provisions of the 14th George III., or in the Acts of 31st of the same reign, relating to the Government of the Province of Quebec, and the dues and rights of the clergy of the Church of Rome ; the allotment or appropriation of lands for the support of a Protestant clergy ; the endowments of the Church of England, or its internal discipline or establishment ; or affecting the enjoyment or exercise of any form or mode of religious worship in any way whatever ; or which may affect Her Majesty's prerogative touching the Waste Lands of the Crown, must be first submitted to the Imperial Parliament previous to the declaration of the Sovereign's assent, and that if the Imperial Legislature shall petition the Queen to withhold her assent within thirty days after such Act shall have been received, it shall not be lawful to affix the Royal assent thereto.

The levying of imperial and colonial duties ; the appointment of a Court of Appeal ; the administration of the civil and criminal laws ; the fixation of the Court of Queen's Bench within the late Province of Upper Canada ; the regulation of trade ; the consolidation of all the revenues derivable from the Colony into one fund, to be appropriated for the public service of Canada.

Out of this fund £45,000 to be payable to Her Majesty, her heirs and successors, for the purpose of defraying the expenses for the administration of the government and the laws on the Civil List.*

Both sums to be paid by the Receiver-general, upon the Governor's warrants, and the Receiver-general to account to the Lords of the Treasury; and all the

* Governor	£7,000
Lieutenant-Governor	1,000

Upper, or Western Canada.

One Chief Justice	£1,500
Four Puisne Judges £900 each	3,600
One Vice-Chancellor	1,125

Lower, or Eastern Canada.

One Chief Justice, Quebec	£1,500
Three Puisne Judges, Quebec, £900 each	2,700
One Chief Justice, Montreal	1,100
Three Puisne Judges, Montreal, £900 each	2,700
One Resident Judge at Three Rivers	900
One Judge of the Inferior District of Gaspé	500
One Judge of ditto St. Francis	500
Pensions to Judges, Salaries of the Attorneys and Solicitors-General, and Contingent and Miscellaneous Expenses of the Ad- ministration of Justice throughout the Province of Canada	20,875

Total, £45,000

And a further sum of £30,000 out of the said Consolidated Revenue Fund for defraying the under-mentioned expenses of the Government.

Civil Secretaries and their Offices	£8,000
Provincial Secretaries and their Offices	3,000
Receiver-General and his Office	3,000
Inspector-General and his Office	2,000
Executive Council	3,000
Board of Works	2,000
Emigrant Agent	700
Pensions	5,000
Contingent Expenses of Public Offices	3,300

£30,000

expenditure thereon to be laid before the Provincial Parliament within thirty days after the commencement of each session.

The total sum of £75,000 thus raised and paid for the Civil List, to be accepted and taken by Her Majesty by way of Civil List, instead of all territorial and other revenues then at the disposal of the Crown.

The first charge upon the consolidated revenue fund to be its collection, management, and receipt; the second the public debt of the two Provinces at the time of the Union; the third, the payment of the clergy of the Church of England, Church of Scotland, and the ministers of other Christian denominations, agreeably to previous laws or usages; the fourth charge, to be the Civil List of £45,000; and the fifth, that of £30,000, payable during the life-time of Her Majesty, and for five years after her demise. The sixth charge to be that of the expenses and charges before levied and reserved by former Acts of the two Provinces, as long as they are payable.

All bills for appropriating any part of the revenues of the United Province, to originate with the Governor, who shall have the right of initiating the same, as well as of recommending the appropriation of any new tax or impost, and that, having thus been recommended, the Legislative Assembly shall first discuss the same.

The formation of new townships to originate with the Governor, as well as the appointment of township officers. The power vested in the Queen to annex the Magdalen Islands to the Government of the Island of Prince Edward, in the Gulf of St. Law-

rence ; and the appointment of Governor of the Province of Canada to be understood as meaning Governor, Lieutenant-governor, or person authorised by Her Majesty, her heirs, and successors, to execute the office of Governor of that province.

These are the principal features of the celebrated Act of Union which Lord Sydenham was to found his Government upon, and which had met with considerable opposition in the Legislature of Upper Canada, the votes for the union in the Legislative Council being twelve, and eight against it ; and in the House of Assembly, forty-five for the Union, and ten against it. The Special Council of Lower Canada also passed resolutions in its favour.

The next difficulty was the sore one of the disposal of the clergy reserves, but Mr. Thompson got over it with great tact ; and, as the settlement of this important question had been left by the Queen to the Provincial Parliament, a Bill was introduced by Mr. Draper, the Solicitor-general, empowering the Governor to sell and alienate all these lands, to create a fund for the support of the clergy of the Church of England, and of any other persuasion to which the faith of the Crown had been pledged during the lives of the present incumbents or holders. After paying these stipends, the residue to be applied as follows, viz., one-half to the churches of England and Scotland within the province of Upper Canada, proportionably as to numbers ; the residue to be divided amongst all other denominations of Christians recognised by the existing laws, in proportion to their annual private subscriptions. This Bill passed

the House by votes of twenty-eight to twenty, a majority only of eight.

The Governor-general then, on the 14th January, sent a message to the Assembly, stating, that he had been commanded by Her Majesty to administer this Government "in accordance with the well-understood wishes of the people; and to pay to their feelings, as expressed through their representatives, the deference that is justly due to them." In other words, that he was to carry out the new and dreaded system of responsible Government, which, whilst it gave him the power of dispensing with the services of every public officer who differed with him upon questions of policy, also made his Cabinet responsible to the people.

Thus the first blow was aimed in Canada, at the long-established and almost hereditary rights of office and place, whilst a source of uneasiness was opened at every new election, and forebodings as to the power of the Reformers and Radicals, when the Union should be declared, were very rife; nor did the Radicals delay to show their teeth very plainly, by the Durham meetings upon the subject of Reform, which, in some places, had created great alarm, the name of Lord Durham having been used as a convenient cloak to cover other designs.

This declaration of the Governor-general was instantly followed by the removal of Mr. Hagerman, the Attorney-general, who had voted on the Union question, in the minority, and the appointment of the Solicitor-general, Mr. Draper, to succeed him, whilst Mr. Baldwin, the leader of the Reformers, was made Solicitor-general. Mr. Hagerman was at the same

time, for his long and faithful services, raised to the Bench.

The last Parliament of Upper Canada was prorogued on the 10th of February, by the Governor-general in person, who immediately left Toronto for Montreal, and to show his energy, he performed a journey by land, in a Russian sledge, of 390 miles, over the snow, in 36 hours, almost equalling steam, because there were necessarily several stoppages. The rate was, exclusive of these, 13 miles an hour with four horses.

On the 17th of April, the beautiful hollow column erected in honour of Sir Isaac Brock, the hero of Upper Canada, on the Queen's Town heights, was treacherously entered, in the absence of the keeper, and some gunpowder placed in its base, to which a train having been laid and fired, the explosion so shattered this beautiful ornament of the country, that it became useless. It was ascended by 170 spiral-steps, and contains in its base the ashes of the hero and his aide-de-camp Colonel M'Donell, whilst from its summit it commanded one of the most singular and sublime of views, looking over Lake Ontario, the River Niagara, and an endless succession of forest and cultivation in Canada and the United States, whilst the cloud of the Great Falls hung in the middle ground of the picture.

To give an idea of the determined hatred of the perpetrator of this unholy deed to Canada, it must have required forethought and skill to have effected the destruction of the monument, the base of which was twenty-two feet square, and the walls six feet in thickness. The explosion was heard in Queen's Town,

between the hours of four and five in the morning, so that probably the previous night had been passed in the preparations. The upper or trap-door leading on the roof, had been left open by the keeper, which it is supposed gave vent to the suddenly expanded air, and thus saved some lives, as none of the stones of the building were thrown off, but the whole was rent, cracked, and contorted from base to summit. Some persons saw an enormous cloud of smoke rise from the roof, and it is therefore supposed that more than one barrel of powder was used.

A grand and imposing meeting of the Militia officers, &c., of Upper Canada, presided over by Sir George Arthur, was held near its ruins, on the 30th of July, at which 5,000 persons were present, and a subscription entered into to rebuild it.*

Mr. Thompson visited the different provinces of his government during the summer of this year, and was everywhere received with marks of the highest respect. His health was, unfortunately, not equal to the wear and tear of mind and body required, and thus he probably hastened the event which so soon afterwards occurred, in consequence of an injury received from his horse stumbling at Kingston, whilst taking a ride. He lived to see, however, his project of making Kingston the seat of Government fully carried out, and also to set the grand experiment of the Union in operation, but, as might have been expected, his brief career was passed amidst stormy opposition.

* It is much to be lamented that this monument has not yet been restored, though there are ample funds for it. The Editor submitted a design to the Building Committee, much within the amount subscribed.

A very troublesome occurrence took place in the latter end of 1840, by the forcible imprisonment in the United States, of Mr. Alexander M'Leod, supposed to have been a principal actor in the destruction of the *Caroline*. This person had been a Deputy Sheriff of the Niagara District, and had in reality no connection whatever with the affair in question, but incautiously dropping some words which tended to a recognition of his participation, he was most illegally imprisoned and tried by Courts which really had no jurisdiction in his case. The consequence was his escape from a dilemma into which he brought himself, and had involved most seriously the Government, and after a very long imprisonment and causing the utmost excitement in the United States, he was restored to his country, which had been perilled, for his sake, with a fresh war.

Upper and Lower Canada were declared to be one Province, "the Province of Canada," from and after the 10th day of February, 1841, and then commenced the tug of political warfare.

Sir George Arthur, who had so satisfactorily administered the Lieutenant-governorship, was, of course, at once supplanted, and afterwards returned to England, a Baronet, amidst the good wishes and applause of the Upper Canadians.

It is a curious coincidence that the 10th of February in 1763, was the date of the final cession, by conquest, of Canada to England, and thus only seventy-eight years had passed since Canada was a British Colony undivided.

The Governor-general immediately assembled a Council of Advice, and the undermentioned gentlemen were

appointed Members of the First Executive Council of Canada :

The Honourable Mr. R. B. Sullivan, President.

"	"	J. H. Dunn, Receiver-general.
"	"	D. Daly, Secretary, Canada East.
"	"	S. B. Harrison, Secretary, Canada West.
"	"	C. R. Ogden, Attorney-general, Canada West.
"	"	W. R. Draper, Attorney-general, Canada East.
"	"	R. Baldwin, Solicitor-general, Canada West.
"	"	C. D. Day, Solicitor-general, Canada East.

As I shall give a list of the House, in 1842, at the close of this chapter, it will be only necessary to say that the first election terminated in the return of a majority in favour of the Governor-general's plans ; upon the very first day when an embarrassing question to try their strength was mooted, we find forty-seven for the Government and twenty-seven in opposition to it.

The Speaker chosen was Mr. Cuvillier of Montreal, a French Canadian Reformer, who spoke both languages, and who was supported by the Radicals because he had shown his want of confidence in the Administration, because he had been opposed to several important parts of the Union Bill,—particularly the Civil List,—because he had been opposed to the line of policy pursued towards Lower Canada, and because he was a firm supporter of the new system of Responsible Government. He was chosen by the High Tories, by the

Conservatives, and by the moderate Reformers, because they had confidence in the excellent character he had sustained, and in his parliamentary experience, and because he had withdrawn from the reform ranks as soon as rebellion showed its head.

The speech so eagerly looked for as developing the policy of the Government, contained the undermentioned declarations.

1st. In allusion to the case of M'Leod, her Majesty's firm determination to protect her Canadian subjects with the whole weight of her power.

2nd. A new arrangement of the Post-office.

3rd. Extensive public works, in the improvement of the navigation from the ocean to Lake Huron; the erection of new communications in the inland districts, and for these purposes her Majesty's Minister proposed to guarantee a loan to the magnificent extent of one million and a half sterling.

4th. Emigration on an extended scale, and the disposal and settlement of the public lands.

5th. A system of local self-government for the districts, by Municipal Councils.

6th. A provision for the education of the people.

7th. That a large sum would be annually devoted by the Home Government to the military defences of the province.

8th. The fixed and settled determination of the Queen "to maintain, at all hazards, her North American possessions, as part of her Empire."

No one could carp at such a speech, or turn it to party purposes, yet still there lingered a spark of that political flame, which soon blazed into a beacon thenceforward constantly before Lord Sydenham's eyes.

The High Tory party, few in number in the House, saw themselves evidently in a strange position, and the appointment of Mr. Parke, a noted Reformer in the last Upper Canadian Parliament, to the office of Surveyor-general, was alone sufficient to fan their latent fire.

The leader of the Upper Canadian Reformers, Mr. Baldwin, took umbrage because the Governor-general did not apparently go so far with liberal measures as his party had expected; and therefore this gentleman very consistently resigned his place in the Cabinet, as he had done before, under Sir Francis Head's Administration, threw up the Solicitor-generalship, and joined the ranks of the French and Western Canadian Reformers.

A junction so indicative of renewed troubles was compacted by the union of Mr. Hincks with Mr. Viger; both holding the same political faiths, but who had been sundered upon trifling nationalities. They combined the Ultra-Reform party against the Moderados, and Mr. Parke was violently assailed for accepting office under a Ministry so equivocal. Thus a split in the ranks of the Reform party at once threw additional strength into British hands, and the Governor-general immediately explained, through an official organ, that he was determined to carry out his views, by making the Executive Council and Heads of Departments responsible for their acts to the House,—or rather, in other words, that they must individually resign their places, if they could not conscientiously perform their duties, in unison with his measures, for the good of the country. This is the true game of

“Responsible Government,” as it has since been played in Canada for the nonce : however, the former reading suited the purpose, as it gave the Government the support of about fifteen Reformers, and Mr. Baldwin was leading the Opposition with about twenty French Canadian members and fifteen from Western Canada. Six of the Council sat in the House. The High Tories, Conservatives, and Moderate Reformers, numbered about thirty ; and these were, with the exception of four or five, always ready to support the Executive when its measures were reasonable.

But there was another grievance, which began with the union, and that was the composition of the Upper House, or new Legislative Council, in which many members were introduced almost unknown to the country ; whilst many were excluded, who had all their latter lives been decorated with the title of Honourable Councillors. Some gentlemen refused to sit in it, and others delayed being sworn in.

But Lord Sydenham was not a man to be deterred by difficulties, and his measures were hourly developing the resources of the country. The purchase of the Welland Canal Stock from the proprietors, in order that that great public work might be taken out of private hands, was consummated by him. From 1837 to 1840 the tolls on this canal, insignificant as its construction was, had reached from £12,000 to £20,000.*

* Lord Sydenham’s grand scheme of internal improvement was as follows, amounting to £1,470,000 :

To open the Welland Canal and the St. Lawrence by canals for steam-boats, between Lake Erie and Montreal.

To improve the navigation of Lake St. Peter, between Montreal and Quebec, for the largest steamers.

But a new order of things was now about to occur at home, and a Governor-general, selected by a Whig Government, was shortly to try his strength under a Tory Ministry; and by a very remarkable coincidence, the Tory leader in the Assembly, Sir Allan M'Nab, defeated the Canadian Cabinet by a majority of ten,

To improve the River Richelieu by completing the Chambly Canal.

To improve the Ottawa River, and make slides for timber upon it.

To complete the inland water communications of the Newcastle District.

To make a Port and erect Lighthouses on Lake Erie.

To improve the Burlington Bay Harbour by enlarging the Canal.

To form and complete great lines of roads from Quebec to Amherstburgh and Port Sarnia, from Toronto to Lake Huron, between Quebec and the Eastern Townships, and between the Bay of Chaleurs and the St. Lawrence, by the following sums in loans granted by the Imperial Government on the Consolidated Revenue:

CLASS I.

Welland and St. Lawrence Canals	£450,000
River Richelieu.....	21,000
Ottawa River	28,000
Burlington Bay Canal	45,000
Canal, Newcastle District	50,000
Harbour and Lighthouses, Lake Erie and roads connected therewith	70,000
Total.....	£664,000

CLASS II.

Bay Chaleurs, or Kempt-road	£15,000
Gosford, or Eastern Townships-road	10,000
Toronto, or Northern-road	30,000
Main Province-road, or certain parts of it, leading from Quebec to Amherstburgh, and Port Sarnia	5,000
Cascades to Côteau du Lac	15,000
Brantford to London.....	55,000
Thence to Port Sarnia	15,000
London to Chatham, Sandwich, and Am- herstburgh	36,000
Total.....	£181,000

upon a question involving electoral rights, at the very moment that the news of the Tories having gained a victory in the elections in Great Britain reached Canada.

One of the last acts of the Whig Colonial Secretary, Lord John Russell, gave unmingled pleasure to every British subject in Canada. He addressed a dispatch of some length to the Governor-general, explanatory of Her Majesty's feelings towards Canada. He reiterated the determination of the Queen to uphold British interests and honour in North America as a fixed and fundamental principle of British policy. He said that the Ministry had no other views than to bind Canada more firmly to Great Britain, to develop her resources, to strengthen the British population, to defend the territory, and to support and encourage the loyal spirit of the people. He then entered upon the great questions of relieving the Colony of its debt of £1,226,000, of executing the vast public works required for internal communications and for military defences; with reference to the fortifications, the minister stated that in addition to the ordinary annual expenditure, £100,000, each succeeding year, would be applied for the completion of such as had been now approved by the Master-general of the Ordnance, and by the Duke of Wellington, for the defence of the country. He entered at large upon an emigration system, and concluded this remarkable dispatch by saying, that "with a legislature in Canada disposed to co-operate with the Queen and the Parliament of the United Kingdom in developing her vast and unexplored resources, there is every hope that we shall behold the prosperity of

that noble province augment every year, and add more and more to the strength and stability of the empire."

Lord Sydenham, of course, found the new Ministry determined to carry out these views, as nothing could tend more to attach the loyal part of the population to the Mother Country; whilst even those who still dreamt of separation, must have seen that such protective measures would enhance the importance of Canada to an extent before unthought of.

But, unhappily, the feelings of parties were still too sore, the "cicatrix" too raw to bear handling, and Lord Sydenham, with declining health, met nothing but opposition. One determined blow was given by the mercantile community to a favourite measure of his Lordship's, that of the creation of a Provincial Government Bank of Issue; but he established a Board of Works, a much more useful thing. This Board had originally been concocted in Upper Canada in 1836, by some persons of my acquaintance and myself, and I have now before me the printed draught of a Bill for the very purpose of erecting it under a President, unconnected with the Government or House of Assembly, as a member of the Cabinet or a representative of the people.* In short, I think that it would have been better, without any reference whatever to those who have the office of President of the Board of Works, that, as in all our Eastern colonies, a scientific military officer had been appointed, whose rank in the army alone would have rendered him responsible, without any necessity for his

* There was a Board of Works in Lower Canada, erected by ordinance of Sir John Colborne's Special Council.—EDITOR.

being a politician; for to execute such an important office, the mind and the man should be unfettered and undirected.

An officer of acknowledged abilities, in the prime of life, with two clerks of works, one for the Upper and the other for the Lower divisions of the province, with resident civil-engineers on the lines of the great canals and roads, would, with a system of accountability like that of the Ordnance, which admits of no payments by the department making out the estimates and bills, be of the utmost service; and it is somewhat surprising, considering the long peace, that the Government have not largely employed a corps of Topographical Engineers on such colonial duties. In Ireland Ordnance officers direct the canals, and in England the railroads are under their supervision. In fact, canals and railroads are justly and truly great military, as well as great commercial, highways. I do not desire to see them employed in building Government houses, or in the drudgery of repairing colonial edifices, but there is a sort of right which the Government has acquired in Canada, by its munificent outlay and loan, to ensure all the roads, whether by land or water, being adapted to military convenience and military uses. Besides, parliamentary influence must more or less attach to a Director of Works who is a Cabinet officer, and who has to run about to look for constituents every time the House is dissolved; whilst it must always interfere with duties which require his presence in every part of the province. The Director-general of Public Works should not be a politician, and he cannot help being one if he is a member either of the Council or of the Assembly.

We have only to read the report of Mr. Killaly, the first President, to show what is the extent of his duty; and in the next chapter we shall revert to this subject of the public works of Canada, as they were at first brought forward by Lord Sydenham, to his eternal honour.

The Naturalization Bill for Aliens (*alias* American residents), was one of his Lordship's successful measures; by which thousands of persons who had settled in the province became subjects of the Queen.

But the career of Lord Sydenham was terminating, and just as the news of the change of Ministry in England arrived at Kingston, his Lordship met with the serious accident* which ended in his death, after great suffering. He expired on the morning of the 19th September, 1841, and the Parliament was accordingly prorogued by Major-general Clitherow, Deputy-governor of Western Canada, who had been appointed the day before his death by Lord Sydenham for that express purpose.

Lord Sydenham and Toronto was buried in St. George's Church in Kingston, with the honours due to his elevated station.

Just about this time a notorious fellow of the name of Grogan,† who had figured as an incendiary on the

* A broken leg, by a fall from his horse.—EDITOR.

† The atrocities of this disgrace to human nature, Grogan, about whom the two nations were nearly getting into as serious a dispute as the M'Leod case, were almost beyond belief,—equalled only those of Bill Johnson and Lett. On the night of the 29th and 30th December, 1840, he passed over into Canada from the State of Vermont, near the head of Mississquoi Bay, with a party of miscreants in sleighs in a severe snow-storm, surprised the Militia sentries, and committed the following awful crimes before he was driven off. The family of

Canadian frontier, adjoining the State of Vermont, was kidnapped by some loyal but thoughtless young men in that State, and brought into Canada, where a reward had been offered for his apprehension. This was taken up instantly by the American authorities; and it was given out, most industriously, that he had been

Johnson, an industrious farmer, consisting of his wife, two sons, and four daughters, were all asleep at about one o'clock on Sunday morning, when the sentry was astonished to see several sleighs filled with armed men drive up to the door, amidst a furious storm of wind and snow. They immediately, before he could alarm the sleepers, burst open the door and with horrid imprecations roused the family, and drove them naked into the night-storm. They ran into the woods to a log-hut for half a mile up to their waists in the drifted snow, the inhuman villains firing at them as they fled; and although the poor girls had been on their knees imploring them to allow them to dress, bayonets, levelled at their breasts, was the only reply. When the unhappy family reached the hut, their hands and feet were frost-bitten, and their house, their barns, their outhouses, cattle, hay, and grain, with all they possessed, a prey to devouring flames. Grogan then went to Mr. Clark's house,—who had a wife and six children, the oldest only twelve, and the youngest but three days old. The picquet had alarmed this family, and they were fortunately enabled to hurry on their clothes. They drove them all out, but spared the house on account of the interference of one of the women, who implored them to let the poor mother return. They sought for Clark, to murder him, but he escaped. His barns, outhouses, and stock of every kind were, however, burnt. He went then to Mr. Maine's, where the same barbarities were enacted; but the fire was extinguished in the dwelling-house only after Grogan had fled, all the rest of this farmer's property being destroyed. John Gibson, a farmer also, was next visited. He had a wife and five children,—the eldest fifteen, the youngest at the breast. This family was caught asleep, pulled from bed, and driven naked into the pitiless storm, the mother imploring vainly for clothing to cover her babe. They lost their way in the snow of the trackless woods, and ran half a mile before they found shelter; when the feet and hands of the poor father and mother became so completely frozen, as to be soon shapeless masses of flesh. Their house, furniture, clothing, barn, hay-stacks, in short, everything was burnt.

captured by British soldiers as a hostage for M'Leod.

Sir Richard Jackson, the Commander of the Forces, who had been sworn in to administer the Government, as soon as he heard of the arrest, immediately ordered his release, and the capturers were duly punished; and thus ended another border excitement, which threatened heavily against M'Leod; who was, however, soon afterwards tried and acquitted.

Of Lord Sydenham's life and times in Canada it would be useless to say much in this work, as his brother, assisted by Mr. Murdoch, his Lordship's chief secretary, published a work expressly devoted to that subject. We may therefore embrace what is now to be written in a very few words.

Lord Sydenham carried out the plan of the Union. He left Canada tranquil and flourishing. He gave an impetus to public improvement, which no man in that country had ever imagined possible, under the lapse of half a century, could have been dreamt of. He endeavoured to render it a British Colony without prejudice to the French Canadian interests, and he opened a wide door to exertion in the rising generation. With a steady and unwavering hand, but with a weak body, he pursued his task, and fulfilled his mission at least honestly, leaving behind him in the race of life many bitter political, but few private enmities.

Kingston owes him much; Toronto little: the selection of the former as the seat of Government was probably meant to paralyze long-standing interests in the latter; and if so, succeeded.

The Reformers were elevated in his reign ; the Ultra-Tories hid their diminished heads ; but although many of his appointments were very singular in their nature, it is probable they were solely made with a view to balance the opposing parties, and without reference to the persons. He did not appear to have thought it requisite to bring into action and power those who had openly endeavoured to sever the connection with England, or to permit the French Canadian to have more than his due weight in the affairs of the country ; but in order to break the party which had ruled into fractions, he called in several Reformers of Upper Canada, who were known by another name during the disturbances.

His Government was, therefore, not very satisfactory to the Ultra-Tory, the Conservative, the moderate Reformer, the red-hot Radical, or to the luke-warm friend of Canada ; and his time was passed in a constant struggle, not to annihilate, but to break up these opposite factions.

We shall now see how a High Tory successor sat upon the Vice-regal throne.

The year 1842 saw this throne occupied by a very different Viceroy. Mr. Thompson was, comparatively speaking, a new man,—a man of the people,—well connected, however, but not able to blazon on his escutcheon a line of bearings derived from the Conquest. Sir Charles Bagot, of an ancient and time-honoured English family, was essentially of the aristocracy, bred in High Tory principles, and accustomed from early life to courts and diplomacy ; but he had

passed that age of man's existence wherein vigour of mind and vigour of body are usually in their prime. A thorough-bred gentleman of the best English school, accustomed to the highest circles of society from infancy, Sir Charles had now to contend, for the first time, with Colonial policy, and to meet a storm which he never imagined could have been raised, and from which neither his high rank nor his acknowledged talents availed him for an instant. He, seeing the difficulties with which his forerunner had struggled, and the utter impossibility of obtaining support for his Government from the Tories or the British Reformers, who had both left Lord Sydenham to fight his own battles whenever it suited their respective views, sought the French Canadians as his allies; and thus at once brought over to his camp Mr. Baldwin, and that section of the Upper Canadian Reformers which he led.

The French Canadians, delighted at the prospect of being really considered as worthy to share the loaves and fishes, and as being honoured by a real station in the Government, immediately rallied round him; and men whose names, during the rebellion, figured upon the lists of the Attorney-general or the Provost-martial, were now seen filling the prominent offices of the State. Ruin,—ruin, inevitable and uncontrolled, was now predicted to Canada. The fact is, that the French Canadian may be made as loyal as he was in former wars; and if that can be achieved, what does it signify who the person,—the mere person,—is who holds a temporary office? And after all, may not that person, when he sees that his rights as a British subject are respected, abjure his former errors, and become one of

the most devoted subjects of the Queen? Leave out some of the leaders, and many good and loyal men amongst the British Canadians will be willing to throw as thick a veil as possible over the past. And it is to be borne in mind that emigration is now going on at the rate of nearly 40,000 persons a year from the Mother Country. Where, then, will be even numerical superiority in the Lower Canadian French some years hence? The Anglo-Saxon race will swallow it up, and in twenty years the French Canadian will have discovered that he is behind-hand with the rest of the world, and that feudal systems and a law of gavelkind are unsuitable to his advancement. He will learn English, or, at least, his children will, and Canada must, as the Americans say, in the meantime *progress* by tranquillizing his fears.

The opinion upon this subject, delivered by the political writer in that leading European journal, "*The Times*,"* will convey all I have to say on this subject.

• CANADA.—SIR CHARLES BAGOT.

(*From the London Times, Oct. 27, 1842.*)

"It is, of course, with the greatest difficulty that any one not practically versed in the politics of Canada can pronounce an opinion upon the late important step of Sir Charles Bagot, in calling to his councils men so notorious for past indisposition to the British Government as those who have lately accepted office with such circumstances of triumph. One thing alone is certain—that it is the commencement of a new era in colonial government. It is a great experiment, perhaps forced upon Sir Charles Bagot by the policy of his predecessors, but certainly of a most novel character, and the issue of which can only be looked to with the most extreme anxiety and diffidence.

"We have already observed upon the desirableness of admitting the French population of Lower Canada to a larger share in the government of that Colony than has been hitherto conceded them. Many circumstances recommend such a course. Their own simple and

I regret the necessity of employing some few only of these persons ; but I admit it, and augur good results

honest character, their mere numerical importance, their indisposition to the alliance of our encroaching and untrustworthy neighbours of the United States ;—all these circumstances point them out as fit recipients of a share, and a substantial one, of political power and influence.

“ This, the Act of Union of 1840, unpopular as it at first was with them, has at once given them. That Act conferred on a body of people not, we believe, at heart indisposed to the British protection, but still fomenting from the effects of late popular excitement, a preponderance in the popular assembly of Canada. Not only this, but the theory of a responsible Government was established. The instrument and representative of the Imperial Government was compelled to exercise his powers, not at the will of that central power which regulates the movements of the whole, but in obedience to the partial and probably short-sighted wishes of that province which he was commissioned to administer. A principle of colonial government, not devoid of a certain plausible generosity,—nay, more, practically sound and wise,—but, in the extent to which it has been applied, most hazardous in the abstract, has been forced to its first practical trial under circumstances which multiply tenfold its danger and inconvenience. The power to control their Governor has been transferred from the Home Government to the colonial population at a moment when they have scarcely quitted a position of distinct and illegal hostility to it.

“ The result may prove auspicious ; we are willing to hope the best. But it is a somewhat ominous consequence of this new order of things, that the Governor is compelled to call to his councils, on their own terms, men who have lately been proscribed, or in prison ; and that the choice of individuals is justified upon the ground that the leaders of the French party, now predominant, were all in the same scrape, and that if any influential Frenchman at all is now to aid the Government of Canada, it must necessarily be one of those who were traitors, or suspected, a few years back. The outset is unfortunate ; not, we believe, from the fault of Sir Charles Bagot, or the present Government, but from the indiscretion of those who have precipitated this revolution, who have left to their successors no choice between so perilous a risk as the present, and the still more daring alternative of suspending the fresh Canadian constitution, and supporting that

from so determined a line of policy by the Tory Ministry. I augur well from it, for two reasons. The

suspension by the bayonets of the British soldiery, and the physical energy of a fraction of the inhabitants.

"We should not, however, omit to remark upon the great strength which, at least in the House of Assembly, the Government appears to have combined by its present concession. A majority of fifty-five to five at the opening of its sittings, is a *prima facie* evidence of no ordinary power; nor is the liberal and French press less sanguine in their auguries, or loud in their panegyrics of the Governor's policy than might have been expected from the circumstances. We are told that by these concessions the affections of the French are for ever bound to the British Government, and that our troops may be withdrawn from Canada with no longer delay than is necessary to find room for them in England.

"Such is usually the language of those who are gaining their point. Lavish of promises till the next occasion of collision, it is ever their object, by their very eulogiums, to create an obligation to proceed—by the very profuseness of their acknowledgments to raise extravagant expectations in their followers, and to affix an extravagant interpretation to the concessions they have extorted, which may be appealed to in future times, in order to heighten the odium of pausing in the course which has been once begun. It becomes an act of treachery to fall short of the expectations of so grateful a population. The greater the original boon, the more difficult and dangerous it is made to decline that further progress which it is held to imply. We do not then set any great store upon the present promising aspect of affairs. This momentary popularity may indeed be the attendant upon a bold and well-timed policy, but it may be the equally natural result of a weak and imprudent concession. Which it is, the future must decide. Two remarks only we would venture before concluding.

"One is this—that the present arrangements offer little prospect of permanence. Between the English Ultra-Reformers and the French Colonists there is no real community of interest or principle. The patriarchal habits of the latter, their unenterprising though industrious characters, their prejudices, simplicity, and native refinement of feeling, render them no natural allies of the active, pushing, independent, money-making English Radical; and any continued union between two such parties, however possible in the loose warfare of opposition, can neither be hoped nor feared from them when engaged

first, because the French Canadian must see that justice is done to his claims, as representing one good half of the Canadian population. The second, because it must equally assure him that Great Britain is not afraid of his counteraction. I could add another ; and I may as well, for I believe, from the bottom of my heart, that the French Canadian is, as I before have said, a gentleman when educated, and an excellent fellow at all times, when undisturbed by demagogues. But with "*The Times*," and with its opinions, I conclude this chapter, and nearly this book.

As hereafter it will be very interesting to the Canadian public to know who composed Sir Charles Bagot's Parliament, I subjoin the most accurate list I can obtain, taken from the *Montreal Gazette*,

in the practical details of legislation and administration. The present coalition is a mere transition state ; we shall have another shuffling of the cards before we can tell what is to turn up for Canada.

"Secondly, if we did not look forward to this second breaking up of parties, our expectations would be more gloomy than they are. Already from within the Government's Cabinet we hear sentiments broached of no favourable nature to British supremacy—intimations, if we rightly understand them, of doubt whether the act of the Imperial Legislature is conclusively binding on the Colonies without the additional sanction of the colonial ratification. If this is to be the tone of the coalition, speedy be its dissolution ; for such administering of the affairs of the Colony on the principle now apparently conceded of "responsible," that is, in fact, independent, local Government, would be indeed a dangerous enemy to the Home authority ; as the shrewd Yankee press has found out, telling us with some admixture of contempt, that however generous, however worthy of a new era in government that principle may be, it is palpably at variance with the laws of colonial empire, and must disable us from holding that empire together one year after it has ceased to be supported by the most palpable and present coincidence of interests."

[There is also an admirable commentary in the *Standard* of the same time.]

and from the *Toronto Patriot* of October 4th, 1842.*

• LIST OF THE TWO HOUSES.

HOUSE OF ASSEMBLY.

The names of Members and Places arranged alphabetically.

Speaker — Hon. AUSTIN CUVILLIER.

Names of Members—alphabetically.

Armstrong, D. M.....	Berthier.
Aylwin, T. C.....	Portneuf.
Baldwin, Robert	Hastings.
Boulton, H. J.	Niagara.
Boutillier, Dr. T.	St. Hyacinthe.
Barthe, J. G.....	Yamaska.
Berthelot, Amable.	Kamouraska.
Buchanan, Isaac	Toronto, City.
Borne, Michael	Rimouski.
Black, Hon. Henry	Quebec, City.
Burnet, David	Ditto.
Boswell, G. M.	Northumberland, South Riding.
Crane, Samuel	Grenville.
Cuvillier, Hon. Austin	Huntington.
Cook, John	Dundas.
Cartwright, J. S.	Lenox and Addington.
Chesly, S. Y.....	Cornwall.
Cameron, Malcolm	Lanark.
Christie, Robert	Gaspé.
Child, Marcus	Stanstead.
Daly, Hon. D.	Megantic.
Draper, Hon. W. H.....	Russell.
Dewitt, Jacob	Leinster.
Dunlop, William	Huron.
Dunscombe, J. W.....	Beauharnois.
Derbishire, S.	Bytown.
Duggan, G. R.	York, Second Riding.
Delisle, Alexander M.	Montreal, County.
Dunn, Hon. J. H.....	Toronto, City.
Durand, James	Halton, West Riding.
Forbes, C. J.....	Two Mountains.
Foster, Dr. Sewell.....	Shefford.
Gilchrist, Dr. John	Northumberland, North Riding
Harrison, Hon. S. B.	Kingston.

Since this List was made, there were some remarkable changes in the Cabinet.

Holmes, Benjamin	Montreal, City.
Hale, Edward	Sherbrooke, Town.
Hopkins, Caleb	Halton, East Riding.
Hincks, Hon. Francis	Oxford.
Hamilton, John R.	Bonaventure.
Jones, Hon. Robert	Mississquoi.
Johnston, James	Carlton.
Kimber, Dr. R. J.	Champlain.
Killaly, Hon. H. H.	London.
Lafontaine, L. H.	York, Fourth Riding.
Leslie, James	Vercheres.
Moore, John	Sherbrooke, County.
Morris, James	Leeds.
Moffat, Hon. George	Montreal, City.
Merritt, W. H.	Lincoln, North Riding.
M'Nab, Sir A. N.	Hamilton.
M'Donell, J. S.	Glengarry.
M'Culloch, Dr. M.	Terrebonne.
M'Lean, Alexander	Stormont.
M'Donald, Donald	Prescott.
Noel, Dr. J. B.	Lotbiniere.
Neilson, John	Quebec, County.
Ogden, Hon. C. R.	Three Rivers.
Papineau, D. B.	Ottawa.
Powel, Israel M.	Norfolk.
Prince, John	Essex.
Parent, Etienne	Saguenay.
Parke, Thomas	Middlesex.
Price, James H.	York, First Riding.
Quesnel, F. A.	Montmorency.
Roblin, J. P.	Prince Edward.
Simpson, John	Vaudrueil.
Smith, Henry, jun.	Frontenac.
Small, James E.	York, Third Riding.
Sherwood, George	Brockville.
Smith, Dr. Hermanus	Wentworth.
Steel, Elmes	Simcoe.
Taché, Dr. Etienne	L'Islet.
Turgeon, Abraham	Bellechasse.
Turcotte, J. E.	St. Maurice.

The Honorable Mr. Draper resigned the Attorney-generalship for Canada West, and the Attorney-general

Thorburn, David	Lincoln, South Riding.
Tachereau, A. C.	Dorchester.
Thompson, D.	Haldimand.
Viger, Hon. D. B.	Richelieu.
Viger, L. M.	Nicolet.
Walker, William	Rouville.
Watts, R. N.	Drummond.
Williams, John T.	Durham.
Woods, Joseph	Kent.
Yule, John.	Chambly.

LEGISLATIVE COUNCIL.

Speaker — Hon. R. S. JAMIESON.

Hon. R. S. Jamieson.	Hon. John M'Donald.
„ P. B. De Blacquiére.	„ Adam Ferrie.
„ Peter M'Gill.	„ J. B. Taché.
„ R. B. Sullivan.	„ P. H. Knowlton.
„ R. E. Caron.	„ Thomas M'Kay.
„ William Morris.	„ Gabriel Roy.
„ George Pemberton.	„ P. H. Moore.
„ Alexander Fraser.	„ Robert Dickson.
„ Barthélemi Joliette.	„ Amable Dionne.
„ James Crooks.	„ Joseph Dionne.
„ Adam Fergusson.	„ George Goodhue.
„ John Fraser.	„ I. P. Sherwood.
„ John Macaulay.	„ William Walker.
„ John Hamilton.	„ Sim. Washburn.
„ F. P. Bruneau.	

Names of Places—alphabetically.

Brockville	George Sherwood.
Berthier	D. M. Armstrong.
Beauharnois	J. W. Dunscombe.
Bellechasse	A. Turgeon.
Bonaventure	J. R. Hamilton.
Bytown	S. Derbyshire.
Carlton	James Johnson.
Champlain	Dr. R. J. Kimber.
Chambly	John Yule.

for Canada East, Mr. Ogden, was displaced. Mr. Sherwood, Solicitor-general for Upper Canada, was

Cornwall	S. Y. Chesley.
Dorchester.....	A. C. Tachereau.
Drummond	R. N. Watts.
Dundas	John Cook.
Durham.....	J. T. Williams.
Essex	John Prince.
Frontenac	Henry Smith, jun.
Gaspé	R. Christie.
Glengarry	J. S. M'Donell.
Grenville	S. Crane.
Hamilton	Sir A. N. M'Nab.
Halton, East Riding	Caleb Hopkins.
Ditto, West Riding	J. Durand.
Hastings	Robert Baldwin.
Haldimand	D. Thompson.
Huntingdon	Hon. A. Cuvillier.
Huron	Dr. W. Dunlop.
Kent	Joseph Woods.
Kingston	Hon. S. B. Harrison.
Kamouraska	Amable Barthelot.
Lanark	Malcolm Cameron.
Leinster	Jacob De Witt.
Leeds	James Morris.
L'Islet	Dr. E. Taché.
London	Hon. H. Killaly.
Lincoln, North Riding.....	W. H. Merritt.
Ditto, South Riding.....	David Thorburn.
Lenox and Addington	J. S. Cartwright.
Lotbiniere	Dr. J. B. Noel.
Megantic	Hon. D. Daly.
Montreal, City	{ Hon. George Moffatt.
	{ Benjamin Holmes.
Ditto, County	Alexander Delisle.
Middlesex	Thomas Parke.
Montmorency	F. A. Quesnel.
Mississquoi	Hon. Robert Jones.
Niagara	H. J. Boulton.
Nicolet	L. M. Viger.
Norfolk	L. M. Powell.
Northumberland, N. Riding..	Dr. John Gilchrist.

also superseded, as well as Mr. Davidson and Mr. Macaulay.

The Cabinet was then recomposed, as follows :

The Hon. Mr. R. B. Sullivan, President of the Council.

Northumberland, South Riding ..	G. M. Boswell.
Ottawa	D. P. Papineau.
Oxford	Hon. Francis Hincks.
Prince Edward	J. B. Roblin.
Portneuf	T. C. Aylwin.
Prescott	Donald M'Donald.
Quebec, City	{ Hon. H. Black.
	{ D. Burnet.
Ditto, County	John Neilson.
Russell	Hon. W. H. Draper.
Richelieu	Hon. D. B. Viger.
Rouville	W. Walker.
Rimouski	Michael Borne.
Shefford	Dr. Sewell Foster.
Stanstead	Marcus Child.
Simcoe	Elmes Steele.
Stormont	Alexander M'Lean.
Sherbrook, Town	Edward Hale.
Ditto, County	John Moore.
Saguenay	Etienne Parent.
St. Maurice	J. E. Turcotte.
St. Hyacinthe	Dr. T. Boutillier.
Three Rivers	Hon. C. R. Ogden.
Terrebonne	Dr. M. M'Culloch.
Toronto	{ Hon. J. H. Dunn.
	{ Isaac Buchanan.
Two Mountains	C. J. Forbes.
Vercheres	James Leslie.
Vaudreuil	John Simpson.
Wentworth	Dr. Hermanus Smith.
Yamaska	J. G. Barthe.
York, First Riding	J. H. Price.
Ditto, Second Riding	George Duggan, Jun.
Ditto, Third Riding	J. E. Small.
Ditto, Fourth Riding	L. H. Lafontaine.

The Hon. Mr. Harrison, Secretary, C.E.	
„ Dunn, Receiver-general.	
„ Killaly, President of Board of Works.	
„ Hincks, Inspector-general of Public Accounts.	
„ Baldwin, Attorney-general, C.E.	
„ Small, Solicitor-general, C.E.	
„ Daly, Secretary, C.W.	
„ Lafontaine, Attorney-general, C.W.	
„ Aylwin, Solicitor-general, C.W.	
„ Morin, Commissioner of Crown Lands.	

In 1842, the House of Assembly was divided as follows, according to the *Toronto Examiner* :

Firm supporters of the above Ministry	60
Decidedly opposed	13
Doubtful	11
	<hr/>
	84

Of the 60 Ministerial supporters, the *Patriot* said as follows :

Ministers themselves	10
Other Office-holders during pleasure, chiefly local	17
	<hr/>
	27

Other Members, including those whose seats were questionable	33
	<hr/>
	60

Of the 24 opposed or doubtful, are Office-				
holders during pleasure (mostly				
local officers)	.	.	.	8
Other Members	.	.	.	16
				<hr/>
				24
				<hr/>
Total Office-holders	.	.	.	35
Others	.	.	.	49
				<hr/>
				84

Sir Charles Bagot, in short, worked with a majority of Reformers chiefly through a French interest, as Lord Sydenham had worked with a British one; and although he slept not on a bed of roses, he resigned his life respected for the purity of his intentions, and with the character of the old English gentleman,—his honour untarnished, and his sufferings from illness deeply and universally regretted.

From the mass of intelligence in the United Legislature, there was every reason to believe that harmony would at length arise upon most of the questions of real interest to the Colony; and there was very little doubt that Sir Charles Metcalfe was the most proper person who could have been selected to work that desirable end, and that he would succeed in governing Canada upon open and manly terms was scarcely to be doubted.

It was useless to listen to the unreasonable cry of swamping the French, and making Upper Canada interests alone the rule. The immense emigration from Britain yearly would alone operate as a counter-check to French principles, or to any fear of Lower

Canada having an undue preponderance ; whilst the impetus given to exertions by the magnificent scheme of opening the St. Lawrence to Lake Superior for ocean-going vessels, will go far to annihilate the feudal barbarism of the race which borders upon the banks of that father of floods ; for steamboats will make commerce, and commerce will make population, and the back country must be opened. See what steamboats have done for the Mississippi. Before they rode upon the muddy waves of that river, the Louisianian French alone occupied its best littoral ; now the Anglo-Saxon only appears, and a thousand miles of water and forest own his sway, and bear annually vast tokens of his increase, of his active mind, and of his dauntless exertions. So it will be with the St. Lawrence, Ontario, Erie, and Huron, when steamboats pass uninterruptedly from Quebec into Lake Superior.

CHAPTER VII.

Reflections on the probable future destinies of Canada, and general polity of the Colonial Empire of Great Britain in Northern America.

It is with the utmost pleasure I turn from the tiresome and laborious work of forming the outline of Canadian politics, given in the last chapter, to "matter more attractive," and in which the mind has its free scope. The first thing which must now occupy the inquisitive reader is the financial condition of the Union.

The following is the statement of the Inspector-general, down to the end of the December quarter of 1841, of the monetary affairs of the Province of Canada; and as it gives, at one glance, the extent of the Public Works, the Public Debt, and the Public Credit, I shall not curtail one word of it, or one figure, and thus place it under the reader's eye without note or comment. [See pp. 242 and 243.]

The internal commerce of this fine country is rapidly increasing, and the lake ports of Ontario becoming yearly of more importance. In 1830, on Lake Ontario the traffic was confined to York, Kingston, and Niagara,

whilst Coburg was only starting, as a port, into existence. Now these are numerous, and several are driving a large trade with the interior, and sailing or steam-vessels penetrate into every available "coign of vantage" along the whole of a shore which Nature has rendered it necessary for man to improve the communications of, so straight and deficient of harbours as it is. I shall just give one instance to show how the Canadian shores of this beautiful lake are improving. The Newcastle District is, perhaps, the worst provided with natural harbours of any part of its circuit, either on the British or American littoral; and yet here, such have been the silent strides of commerce, that places unknown on the map yield a revenue to the Custom-house. There has, in fact, been a great deal of enterprise in that district, which is one of the finest in the whole province.

In the Revenue Returns I observe, for 1841, the undermentioned places are mentioned as becoming productive :

<i>Ports.</i>	<i>Receipts.</i>		
	£	s.	d.
Bond Head and Darlington . . .	201	2	3½
Coburg	1,005	0	5½
Newcastle and Trent	168	1	5½
Port Hope	595	14	4½
Windsor	380	13	8½
Total	£2,350	12	4½

In short, the revenue from the great Mediterranean fresh-water seas of Canada is steadily increasing; for, notwithstanding the pressure of the times, the im-

STATEMENT OF THE AFFAIRS
On the 31st of

PUBLIC DEBT.		
	£	s. d.
Sterling Debentures, interest payable at Glynn, Mills, Halifax, and Co., sterling, £450,000	444,444	8 10
Sterling Debentures, interest payable at Baring and Co., sterling, £438,850	487,511	2 3
Balance due Glynn, Mills, Halifax and Co.	28,261	11 6
Balance due Baring Brothers and Co.	11,703	8 1½
Bank of Upper Canada	20,000	0 0
Gore Bank.....	6,000	0 0
Provincial Debentures, Upper Canada	289,544	1 2
Ditto Lower Canada	123,675	0 0
	£1,411,239	11 10½
Profit on Exchange sold by the Receiver-general	45,844	19 1
Interest account, for interest on loans to Public Works.....	18,083	13 2
Balance due to Public Accountants:		
Collectors of Customs.....	225	7 5½
Inspectors	16	9 4
	£59,155	9 0½

SPECIAL FUNDS.		
Clergy Reserve Fund, Canada West	18,982	13 11
Clergy Reserve Fund, Canada East	311	9 1
Clergy Reserve Fund.....	11,606	19 7
Jesuits' Estate Fund	23,502	1 5
School Land Fund	2,055	5 8
Trinity Fund, Quebec	2,215	16 9½
Trinity Fund, Montreal.....	645	10 0
Tonnage Duty Revenue	616	2 0
Lunatic Asylum Fund	1,577	6 9
	£61,513	5 2½
Consolidated Revenue Fund for balance of that Account.....	73,280	16 2½
Civil List, Schedule B, 1841, for balance of that Account.....	1,621	13 1½
Receiver-general Dunn, balance per his account current, sterling£2,525 17 0		
Warrants issued for the service of 1841, and credited him, but unpaid.....	50,524	8 11
	£56,998	11 11
		63,331 15 4½
Currency	£1,670,142	10 10½

F. HINCKS, *Inspector-general.*

Kingston, 21st September, 1842.

OF THE PROVINCE OF CANADA.

December, 1841.

LOANS TO INCORPORATED COMPANIES AND TO COMMISSIONERS
FOR TURNPIKE ROADS, VIZ:—

	£	s.	d.
Home District Toll-roads.....	95,723	4	0½
Hamilton and Brantford-road.....	45,834	12	1
Dundas and Waterloo-road	29,246	16	4
Kingston and Napanee-road	20,555	2	3
Brockville and St. Francis-road.....	7,692	17	0
Erie and Ontario Railroad Company.....	5,514	1	8
Oakville Harbour Company.....	3,723	16	6
Coburg Harbour Company	5,211	18	3
Port Hope Harbour Company.....	3,075	8	0
Desjardins Canal Company	22,415	14	2
Grand River Navigation Company	588	16	11
Tay Navigation Company.....	1,461	0	2
Grantham Academy	318	2	7
Montreal Turnpike Trust.....	1,211	16	3½
Quebec Turnpike Trust	400	19	7½
	£283,524	14	11½

PROVINCIAL WORKS.

Welland Canal.....	462,856	18	10
St. Lawrence Canal	440,097	11	0
Trent Navigation	23,364	11	7
Inland Waters Newcastle District	21,660	0	0
Kettle Creek Harbour	6,500	0	0
Paris Bridge	2,000	0	0
Trent Bridge.....	4,800	0	0
Chatham Bridge	2,000	0	0
Brantford Bridge.....	2,000	0	0
Dunville Bridge	1,700	0	0
Garafraza-road.....	2,500	0	0
New Brunswick-road.....	2,500	0	0
Kingston Penitentiary	43,198	15	9
Kingston Hospital	3,000	0	0
Parliament Buildings, Toronto	5,000	0	0
West Gwillimbury-road and Bridge	955	3	5
St. Ann's Rapids	4,308	16	4½
Harbour of Montreal.....	87,175	0	0
Chambly Canal.....	35,000	0	0
Steam Dredge, Montreal	1,500	0	0
Thomas Wilson and Company, for this sum owing the Province.....	66,140	1	0
	£1,225,346	17	3½

DEBTS DUE BY PUBLIC ACCOUNTANTS.

Collectors of Customs	59,095	1	10
Inspectors	4,528	16	1½
Commissioner of Crown Lands	3,733	0	8
Receiver of Licences.....	3,696	0	0
Naval Officer	4,732	9	8
Outstanding Bonds, Montreal.....	18,312	6	5
Outstanding Bonds, Quebec.....	8,242	11	0
Outstanding Bonds, St. John's	1,291	5	10
Thomas D. Harrington	287	16	9
Post Office Commission.....	285	0	0
	£103,204	8	3½

Receiver-general Dunn, balance due by him for special funds	40,019	5	11
Civil List, Schedule A, advance for 1842.....	191	15	6½
Civil List, Schedule A, advance for 1841	875	17	6½
Territorial Revenue, Special Account, being debt due to the Clergy Fund for Land Rights	15,661	8	11
Board of Works to be accounted for.....	1,337	2	0

Currency £1,670,142 10 10½

porters have done, and are doing, a very extensive business, and the towns favourably situated are rapidly increasing in population ; and when the St. Lawrence and Welland Canals, and the Ottawa Navigation are completely finished, so that the expenses of transshipment will be avoided, it is impossible to foretell the increase of the carrying trade, as no doubt the Americans on Lakes Michigan and Erie will prefer the cheaper mode of sending down flour, peltries, ashes, staves, &c., by the Great Welland Canal, to the tedious and dearer navigation of that of Erie. The Welland Canal, I have always argued, is the most important of all to Canada. It opens out the whole of Western America, from the Columbia on the Pacific, and the mouths of the Mississippi, to the Hudson's Bay Territory and the fur-hunting countries of the North ; whilst the great wheat-growing Western States find a new road to the ocean by it ; and all the best part of Canada, its wheat, its hemp, its flax, and its tobacco-grounds, are immediately in its vicinage.

To show the British reader the great importance of this public work, which has now passed into the hands of the Provincial authorities, after having long been a source of mere private speculation, I shall annex a statement of the Tolls for the years 1841 and 1842 :

WELLAND CANAL TOLLS.

	£	s.	d.
From August 31st, 1840, to			
Sept. 30th, 1841	15,453	2	0½
From August 31st, 1841, to			
Sept 30th, 1842	19,733	0	0½
	<hr/>		
Increase	3,279	18	0½
Tolls for all 1841	20,210	19	9
Tolls to 30th Sept. only, 1842 .	19,733	0	0½

Now if this Canal, in its wretched and unfinished state, fit for mere barges only, could be made to yield twenty thousand a-year by the very side of the Erie Canal, what will it do when it is properly finished as a Ship Canal? Why, the whole of the produce of the Western countries would go down it; and if a judicious tariff between the State of New York and Canada was established, all the European and Asiatic merchandize used in Western America would be conveyed along its line, instead of by the tortuous and tedious route of the wooden works of the Erie navigation.

To prove that this is now advancing beyond a question to a state which will bear out this assertion, I shall just notice the advantages which the Welland navigation has over the Erie.

In the first place, the entrance and exit of the Welland Canal is free from ice some weeks before and after the artificial harbour of Buffalo is open, and as the whole line of the Welland runs through an isthmus in which winter, by a singular provision of nature, is less severe than in the neighbouring region, so the feeders are available both earlier and later in like man-

ner; and when the supply was drawn off, all that was necessary to carry on internal communication was the railroad between Queenstown and Chippewa, in order to open Eastern and Western Canada to each other. The Welland is a canal of only a few miles in length, the Clinton, or Erie inland navigation, embraces some hundreds.

The lakes are a road of themselves, from the Falls of St. Mary on Superior to the mouth of the Welland Canal on Lake Erie. Passing through this short water-course to its *exitus* on Lake Ontario, that lake communicates with the Atlantic Ocean by the magnificent works of the Rideau and the St. Lawrence; and all that was wanted to prevent transshipment, was the enlargement of the Lachine Canal, which I have always thought would have been much better placed at the back of Isle Jesus, so as to admit of a free opening both to the Ottawa and the St. Lawrence works.

Nobody at home can form an idea of the grandeur of the rivers St. Lawrence and Ottawa, or of the mighty canals which have surmounted the perils and difficulties of their rushing and rapid waters. The Rideau is without a doubt the finest specimen of a stone-built canal in the world, and the St. Lawrence rivals it. This splendid colonial work, erected under the superintendence of an officer of engineers, who had Colonel By's achievement on the Rideau constantly before his eyes, was opened in 1842, by the passage of the *Highlander* steamboat through its finished lock. Thus the obstacle of the great rapid of the Longue Sault, or Long Leap, was overcome.

A mere outline of the gigantic scheme of inland navigation is, of course, all that can be expected in

a work chiefly devoted to military history ; but it is a proud reflection for the Corps of Royal Engineers, that it has had so large a share in bringing this noble scheme to maturity.

The line of inland navigation commences with the La Chine Canal at Montreal, cut to avoid the rapids of the St. Lawrence at that place, for a distance of nine miles. This work, originally very perfect for barges, has been enlarged, so as to form the main leader to the seas of Canada. It opens upon Lake St. Louis, a great but shallow expansion of the St. Lawrence and Ottawa rivers, twenty-one miles from Beauharnois. The next cutting is at the Cascades, at the village of Beauharnois, where the new Canal (called after the village) commences, and extends fifteen miles to a point opposite Coteau du Lac, and surmounts the Rapids called the Cascades, the Cedars, and the Coteau. all about sixty feet fall, and which had already a small canal, inadequate for anything but boats or barges.

The Beauharnois Canal, commenced in 1842, leads into the Lake St. Francis, another large and shallow opening out of the St. Lawrence, which extends to Cornwall, a distance of thirty-five miles.

Here, on the line of latitude 45 degrees, begins the Cornwall Canal, at the pretty little town so called, and which extends as far as Dickenson's Landing, or eleven and a quarter miles, with a fall of about fifty feet. This, which was commenced under the superintendence of Lieutenant-colonel Phillpotts of the Royal Engineers, and nearly completed by him, is an excellent specimen of the whole St. Lawrence Canal work. It has six locks of the best and most beautiful solid masonry, constructed in the most lasting manner, each chamber

being 200 feet in length by 50 in width, with 10 feet water, and calculated for the largest class of the steamboats and sailing vessels which ever ply upon Lake Ontario, or on the Lower St. Lawrence from Montreal to Quebec. It was opened on the 25th of November, 1842, by the steamboat *Highlander*.

This canal, styled *par excellence* the *St. Lawrence*, was undertaken to overcome the worst part of the Rapids of the Longue Sault, near Cornwall, and passes by the villages of Mille Rochers and Moulinette, and has near its centre, towards the south, the celebrated Barnhart's Island, which was conceded by treaty to the United States.

From Dickenson's landing to Prescott is thirty-eight miles, in which the undermentioned short canals were required to overcome the Galloppe, Point Cardinal, Rapide Plat, and Farren's Point Rapids, the first half a mile, the second only three-tenths of a mile; the Rapide Plat, however, three and nine-tenths miles, and the fourth eight-tenths of a mile; in all five miles and a half. But steamers and Ericson's propellers have treated these obstructions with very little regard; yet still they are necessary to be canalized, as danger lurks in their whirling waters. Thus the whole length of the St. Lawrence Canal is only thirty-one and a half miles.*

I have mentioned the Rideau Canal so much at large in a former work, that it is unnecessary now to compare it with the St. Lawrence; but I shall put the reader in possession of circumstances gathered from Lieutenant-colonel Phillpott's and Mr. Killaly's reports,

* Mr. Thomas Keefer, one of the most distinguished civil engineers in Canada, has prepared admirable plans for deepening the rapids of the St. Lawrence.—EDITOR.

which will show at once the extent and capabilities of the vast works of the St. Lawrence Canal. The calculations of Colonel Phillpotts are followed, although there has been great discussion about placing the canal at Beauharnois, or on the north side; the former route is a mile or so longer.*

INLAND NAVIGATION BY THE ST. LAWRENCE.

	<i>Miles.</i>
From the Ocean Port of Quebec by the	
St. Lawrence to Montreal	180
Montreal or La Chine Canal .. .	9
La Chine to Cascades by Lake St. Louis .	21
Beauharnois Canal, to avoid the Cascades,	
Cedars, and Côteau du Lac Rapids .	14 $\frac{3}{4}$
Lake St. Francis to Cornwall . . .	35
Cornwall Canal to Dickenson's Landing .	11 $\frac{1}{4}$
Dickenson's Landing to Prescott, in which	
five and a half miles of canal are ne-	
cessary	38
Prescott to Kingston	70
Kingston to Port Dalhousie on Welland	
Canal	180
Port Dalhousie, by Welland Canal, to Port	
Colborne, on Lake Erie	28
	<hr/>
	587

Five hundred and eighty-seven miles of inland water communication is thus opened from Quebec tide-waters to Lake Erie, and to Lakes Michigan and Superior, or 2,000 miles, of which 526 $\frac{1}{2}$ are natural,

* The Beauharnois Canal was placed on the south side of the river to serve local interests, and it is thus unfortunately within sixteen miles of the United States frontier.—EDITOR.

and only 60½ artificial, whilst, by a short cut of a mile or so at the Falls of St. Mary, the whole of Lake Superior, for 400 miles more would be thrown open.

This will therefore give Great Britain an exclusive and direct road from London to the vast Far West, and opens to the Hudson's Bay merchant a new and facile path for the produce of his industry, whilst the wheat-growing lands of the American Union will at once be thrown open to commerce.

In this 60½ miles of canal there are 63 locks and 517 feet of lockage; and, according to Lieutenant-colonel Phillpotts, the expense required was £2,228,700 to bring the surplus produce of the vast Western States of Pennsylvania, Ohio, Kentucky, Tennessee, Indiana, Missouri, Michigan, Illinois, Mississippi, Alabama, Wisconsin, and Iowa to the Atlantic, by way of Montreal and Quebec, instead of altogether by the routes of the Mississippi to New Orleans; the Ohio and Chesapeake Canal to Baltimore; the Ohio and Pennsylvania Canal to Philadelphia; by the Ohio, Kanawha, and James River to Richmond in Virginia; and by the tediously long Erie Canal from Buffalo to New York.

The Buffalo merchants' ship produce from Chicago, that growing emporium of the West, chiefly in steam-boats; and have, of course, frequent transhipments and unloadings to undergo before the cargoes reach the Atlantic at New York. The obvious gain by a ship canal, such as the Welland, in even sending goods from the West only as far as Oswego is clear; but if the Americans obtain a transit trade to the ocean without unshipping, it becomes a matter of speculation whether Montreal and Boston would not, instead

of New York, become the emporiums of the West. In short, Nature and the command of capital has created for England a water road through the heart of America, which almost realizes the fairy visions which caused the discovery of that continent, as the *meta incognita* appears verily to have been found in the noble St. Lawrence, and the trading path is nearly opened which leads to the slumbering waters of the Pacific and the Golden Cathay.

To effect this approach to so desirable a consummation as that of rendering Canada as important as she deserves to be, we find that Great Britain stepped forward with a loan of a million and a half, and the princely merchants of London came forward to accelerate the disposal of that vast sum. I was at first much opposed to the immense outlay required in constructing the St. Lawrence Canal, when the Rideau answered every purpose for small steamboats; but my mind has since been convinced that the two are perfectly compatible with the best interests of the province, the one as a military, the other as a commercial canal. Besides, the Rideau Canal leads directly from Lake Ontario to that part of the great Ottawa, which must hereafter be rendered navigable for the immense and fertile region embraced between the Ottawa, the Nipissing country, Lakes Huron, Simcoe, and Ontario; it will soon be explored fully, and the tide of emigration turned into its silent and splendid forests and rivers.*

* Between the Ottawa and Lake Huron, and in other parts of Canada, free grants of fifty acres of land may be obtained on the conditions of settlement, cultivation, and keeping the road in repair opposite the lot.—EDITOR.

The Welland Canal tolls amounted, in the distressed season of 1839, to £12,700. The tolls of the Rideau in 1839, were only £7,000; the La Chine, £6,638 10s. 4d.; the Grenville or Ottawa canals, £2,000. Thus the Welland was in 1841, nearly as productive as all the others put together; for even granting that the others in 1841 had risen, they rose only in the same proportions.

The Erie Canal tolls in 1838, when the Canadian rebellion had paralyzed commerce in Canada, and consequently assisted the transit trade to New York, amounted to £318,189 3s. sterling, which alone showed the vast amount to be gained by making the Welland a ship canal. Before it was excavated, all the carrying-trade was by portage across the Niagara frontiers and to the ocean by Montreal and Quebec; but the moment Clinton finished his stupendous undertaking, the carrying-trade departed from Canada entirely, until some enterprising spirits got up the Welland Canal speculation.*

The Erie navigation is only 40 feet wide and 4 feet deep, and thus fitted merely for shallow covered barges. It is 363 miles long, and connects Lake Erie with the tide waters of the Hudson River at Albany. It was commenced in 1817, and completed in 1825, in which year the Welland Canal was commenced.

The cost of the Erie navigation was great,—£1,607,127 11s. 6d. About a quarter of that sum was required, or £416,571 5s. 1d., according to Mr. Killaly's original report, to render the Welland Canal fit for large steamboats.

* Among whom is to be distinguished Mr. Hamilton Merritt.
—EDITOR.

In 1841, the canal tolls of the State of New York amounted to the great sum of 1,792,485 dollars. In 1842, they diminished to 1,525,525 dollars, probably owing to the New Tariff and the increased transit trade by the Welland. But at all events the transit trade by canal in that State has been worth nearly three quarters of a million sterling a year to the revenue; whilst from the paltry construction of the Canadian Canal, one quarter at least of that sum was lost to the province.

The arguments for and against the imposition of a protective duty on American produce passing through Canadian canals or water routes, would occupy too much space, so I shall merely add the result of Mr. Merritt's experience in a debate upon the subject.

It is asserted that Canada does not at present grow wheat enough even for her own consumption. This argument does not, however, hold good for the future condition of the country; and be it remembered that immigration is going on at the rate of 40,000 persons a year.

I confess I like the reasoning of those persons who say that there is not enough attention paid to mercantile interests in the Government of Canada, "as neither the Executive, nor the Legislative Council contains that infusion of mercantile intelligence absolutely essential to ensure a faithful representation of commercial interests. The Executive, in particular, is deficient on this point,—an evil which might be cured by the creation of a Colonial Board of Trade, with an ex-officio seat for its President in the Cabinet."

The same Montreal paper from which I have extracted the above, makes another observation, which it

will be well to bear in mind :—"Timber, ashes, and provisions, are the staples, at present, of the Canadian export trade." The writer, however, forgets that tobacco, and hemp, and flax, will soon bear a large share in it.

"The agriculturists of Western Canada," he says, and it is true,—“oppose the admission of American produce for consumption, whilst the merchants favour it because it secures them the export trade.” Let both parties unite in a petition to the Imperial Government to sanction the admission of American wheat which has passed through Canada, upon the same terms as the colonial produce, under the seal of the bonded system. In what other mode will the expense of the Welland and St. Lawrence Canals be covered? But to Mr. Merritt and his calculations, and the extent to which mercantile transactions will be affected by the New British Possessions Act, passed on the 16th July, 1842, and which came into operation in Canada on the 5th July, 1843, I shall refer the reader to the Appendix, as there the Act itself, imposing a duty of 2*s.* per barrel on wheat flour from the Colonies, and Mr. Merritt's arguments concerning the transit trade, are placed at length; but the commercial reader will find in the following extract from the *Montreal Gazette*, an analysis of the difference between the new and the old Acts highly useful.

With the view of aiding our readers in estimating the extent to which the transactions of 1843 must be affected by it, we have compiled the following comparative statement of the duties on the chief articles of our trade leviable under the existing and future law. It must, however, be borne in mind, that under the former, the excess of the Imperial duty over the Colonial, only, was collected; whereas, under the latter, the Imperial duty is levied without reference to the Colonial:—

	Duties now payable.	Duties payable after July 5th, 1843.
Tea	Prohibited.	1d. per lb.
Fish, dried or salted	Do.	2s. per cwt.
Fish, pickled	Do.	4s. per Barrel.
Fish oil, blubber, &c.	Do.	15 per ct. ad val.
Spermaceti	Do.	15 do.
Wheat flour	Free.	2s. per barrel.
Meat, salted or cured	Free.	3s. per cwt.
Butter	15 per ct. ad val.	8s. do.
Cheese	15 do.	5s. do.
Coffee	5s. per cwt.	5s. do.
Cocoa	5s. do.	1s. do.
Molasses	4s. 6d. do.	3s. do.
Sugar, unrefined	5s. do.	5s. do.
Do., refined	20 per ct. ad val.	20 per ct. ad val.
Do., do., in bond	20 do.	10 do.
Rum	1s. per gal.	6d. per gallon.
Gin	1s. 3d. do.	1s. do.
Brandy	1s. 3d. do.	1s. do.
Wines, French, in bottle..	{ £7 7s. per tun.... 7½ per ct. ad val. 1s. per doz. bottles	7½ per ct. ad val
Do, in wood.....	7½ per ct. ad val.	
Do., all other, in bottle,	{ £7 7s. per tun.... 1s. per doz. bottles	
Madeira excepted.....	7s. per ton.	
Do., in wood.....	10s. do.	
Do., if from Great Britain, Malta, or Gibraltar	{ 10s. do.	
Madeira.....	£7 do.	
<i>Manufactures—</i>		
Glass	20 per ct. ad val.	15 ditto.
Silk	30 do.	
Cotton	20 do.	7 ditto.
Linen.....	30 do.	
Woollen.....	15 do.	
Leather.....	30 do.	
Paper	30 do.	
Hardware	15 do.	
Tobacco	20 do.	
Clocks and watches	30 do.	
Soap	20 do.	
Candles, other than Sperm	15 do.	
Corks, cordage	15 do.	
Oakum	Free.	
Articles, non-enumerated..	15 per ct. ad val.	4 ditto.

With reference to the latter class, we name a few of the articles it compromises, and in which considerable business already exists, or may arise ;—ale or beer ; spices ; arrow-root ; bees-wax ; cabinet-ware ; leather ; carriages ; feathers ; floor-cloths, painted ; flower-roots ; furs ; glue ; horn, and articles made thereof ; lead, and articles made thereof ; Indian rubber, and articles made thereof ; lard ; linseed oil ; mats ; medicines ; paints, and brushes of all descriptions ; perfumes ; quills ; silver, and gold, and articles manufactured thereof, except watches ; salt ; slates ; straw, and articles made thereof ; types ; and zinc.

It is also provided that if any goods, charged with duty, tea and sugar excepted, shall be imported through the United Kingdom, having been warehoused therein, and having been exported from the warehouse, or the duties thereon, if there paid, having been drawn back, such goods shall only be charged with three-fourths of the duties named in the Act.

The internal navigation of Canada is not however merely to be considered as effected by the construction of the St. Lawrence Canal, and by the enlargement of the Welland and La Chine Canals. These merely create a water road from the Western States, and Western Lakes to the Atlantic. The producer in Canada must have other means of reaching this main artery, and thus the following works are more essential to his well-being.*

* To show the enormous trade carried on by means of the Erie Canal, with the Lakes Erie, Michigan, and Huron, I subjoin the following return :

CANAL TRADE OF BUFFALO IN 1842.

From the *Buffalo Daily Mercantile Courier*, Dec. 7.

Below is a table made up from the books of the Canal Collector of the shipment of property down the canal during the year 1842, with a similar table for 1841, for the purpose of comparison. The sudden closing of the canal has arrested flour and wheat enough at this place to have increased the former article to 660,000 and the latter to 1,250,000 bushels, which would show a trifling increase over 1840, when the navigation lasted until Dec. 1 ; notwithstanding a large amount has gone through Canada.

The Trent navigation, for which the small sum of £23,364, and the Inland waters navigation of the

Of other articles some show an increase, some a diminution, and some articles, viz.: square timber and barley, have been shipped from this port which were not reported at all last year. A large increase will be noticed in wool, lead, flax-seed, butter and lard, cheese, ashes, corn, and oats; and a great reduction in ship stuffs, peas and beans, dried fruit, leather, hides, iron, staves, boards and scantling, and domestic spirits.

	1842.	1841.
Ashes, barrels	17,828	10,165
Pork, barrels	52,489½	67,007
Beef, barrels	4,293	3,218
Fish, barrels	2,347	1,844
Flour, barrels	640,277	648,686
Wheat, bushels	1,171,651	1,207,125
Rye, bushels	2,075	3,057
Corn, bushels	279,953	148,727
Barley, bushels	2,933	
Oats, bushels	161,410	34,262
Ships' stuffs, bushels	17,836	33,851
Peas and beans, bushels	5,554	11,625
Dried fruit, lbs.	28,930	280,981
Clover and Grass Seed, lbs. .	1,289,314	1,378,842
Flax Seed, lbs.	675,270	370,174
Hops, lbs.	18,394	2,745
Tobacco, lbs.	979,874	805,595
Cotton, lbs.	48,603	73,016
Wool, lbs.	577,078	340,229
Leather, lbs.	105,159	210,845
Hides, lbs.	208,646	497,879
Bar and Pig Lead, lbs.	1,454,558	107,411
Pig Iron, lbs.	34,300	67,239
Iron Ware, lbs.	23,422	60,024
Butter and Lard, lbs.	6,242,072	5,147,246
Cheese, lbs.	2,807,983	1,211,585
Merchandise, lbs.	242,348	363,318
Furniture, lbs.	698,658	902,019
Stone, Lime, &c., lbs.	436,378	509,878
Gypsum, lbs.	2,032	
Mineral Coal, lbs.	2,981	5,150
Furs and Peltries, lbs.	291,177	363,751
Staves	34,851,010	56,623,456

Newcastle district, for which £21,660 was set aside, are most important works, as they open out a vast interior of the most fertile description to the agriculturist.

If there is any portion of the unsettled region of Canada more fertile and delightful than another; it is the splendid section through which the Trent, the Rice Lake, the Otonabee, and the chain of lakes and streams, including Balsam Lake, run and communicate with Lake Simcoe, and approach the Moon River and Lake Nipissing. Here Nature has spread out her bounties with no sparing hand.

Peterborough stands at the foot of a series of rapids formed by the Otonabee, and the tributary lakes and

Boards and Scantling, feet ..	5,232,323	9,123,994
Shingles, M.....	150½	211
Timber, 100 ft.....	3,172	
Wood, cords	973	13
Domestic Spirits, gallon....	373,520	717,040
Sundries, lbs.	3,251,835	2,205,959
The amount collected in 1842	Dollars	374,448-89
" " 1841	"	348,482-08
<hr/>		
Excess in favour of 1842		25,966-81
Whole number of clearances in 1842,	5,171	
" " " 1841,	5,782	
<hr/>		
Deficiency of clearances in 1842,	611	

Canal Tolls.—Account of tolls received on all the canals of this State during the last week in November, and the totals to the 30th November in each of the years following, viz.:

	Last week in Nov.		Totals to 30th Nov.	
	Dollars.	Cents.	Dollars.	Cents.
1835	21,191	03	81,544,841	14
1836	18,081	72	1,613,028	85
1837	18,325	26	1,283,934	75
1838	12,074	81	1,590,244	66
1839	5,041	56	1,599,028	00
1840	20,190	47	1,773,582	51
1841	21,734	11	2,033,261	77
1842	5,380	09	1,748,869	88

Comparing this year with the last, there was a falling off in the last week in November of 16,354-02, and the total falling off to the 30th of November is 284,391-89 dollars.—*Albany Argus.*

streams springing out of the depths of this vast and unopened forest ; and Nature, although she has placed impediments in the way of the natural water route, to that king of fresh water seas, Lake Huron, has nevertheless interposed one of the finest and safest expanses of inland water between Lake Ontario and it,—Lake Simcoe, to assist the engineer in surmounting all obstacles, through a series of wild turbulent streams, noisy cascades, and splendid sheets of rapids ; which for eight miles beyond Peterborough, are encountered at every half-mile through a limestone country where materials are everywhere at hand. Beyond this angry portion of the Otonabee, is a scene which cannot be adequately described, as the waters spread out into every variety of form, which islands, lakes, and rivers can present.

Lakes incessantly follow each other, some not more than a mile, others ten miles long, whose banks consist of a rolling outline covered down to the pure margin of the water, with the most rich, luxuriant, and magnificent forest scenery, in a fertile and rich soil. For nearly an hundred miles the traveller passes through scenes which awaken all the most splendid conceptions of the grandeur with which forest and fell combine in the scenery of the New World ; and here sailing along, or paddling at his ease, nothing disturbs the reign of Nature but the solitary cry of the loon, the sharp note of the kingfisher, the tapping of the great woodpecker, the screams of the wild geese, and the noisy wing of the splashing duck, or the occasional dart of a maskanongé, a huge species of pike, from his deep abode. Now and then you see

the Red Indian, as silent as his native woods, engaged in hunting or fishing ; but in general, with the exception of some solitary clearings at long distances, all is solemnly still, and in magnificent repose. At the end of his journey on these beautiful waters, after passing along a deep, black, placid stream, whose frowning cliffs bound the prospect, a beautiful little Niagara is reached, and the river pitches over a regular parabolic curve, about thirty feet in height. So regular is the descent, and so smooth the edge of this Horse-shoe Fall, that a curious visitor may, it is said, pass entirely across under it, from shore to shore, behind a magnificent liquid curtain without danger, and without being wetted by its spray.

This splendid fall comes from Balsam Lake, a very deep and very extensive sheet of water, which communicates by shallow streams and portages with Lakes Simcoe and Huron to the eastward, and with the great Ottawa to the west ; whilst the Nipissing Lake and French River, which join the Ottawa and Lake Huron, are approachable to the north. Peterborough communicates with Lake Ontario by the Otonabee ; Rice Lake and Trent River at the Bay of Quinté. The Trent River passes through some of the finest land in the province, and one of its picturesque falls in the township of Seymour makes a fine sketch ; but the canal will be incomplete unless the harbour of Presqu'île, on Lake Ontario, is made available, and the Bay of Quinté united with Lake Ontario by the much-required canal of a mile or two in length across the isthmus, near Presqu'île, which appears now once again to be forgotten,—although it would secure a safe

navigation of at least one-fourth of Lake Ontario, and that, too, where it is most studded with shoals and islands, and give a vent for the industry of the farmers of Prince Edward, that most industrious and flourishing of districts.

I shall not touch upon the other great internal public works, such as roads and harbours, any further than to observe, that it is to be hoped that roads will be thought of before anything else, as without them all the outlay on the harbours and canals, as far as Canada will be concerned, will be nearly useless.

To show what the export trade of the United Provinces was, in 1842, and where that trade was directed to, I append* an accurate list of the ports in Great Britain to which 714 vessels were directed, embracing a tonnage of 272,400; and those of the British American possessions, and South America, for which 175 ships, holding 13,090 tons sailed, making altogether 889 vessels and 385,490 tons. What will this export amount to when the internal navigation is fully opened from Lake Superior to the sea? It is incalculable. London, Liverpool, Belfast, Cork, Bristol, Hull, Limerick, and Newcastle, appear to be the great emporiums of the Canada export trade.

The value of the Canadas to Great Britain is therefore so obvious, that it is useless to insist upon it, and we must therefore only glance, in parting with the reader, at the future destinies of this New India. Sir Charles Bagot's health having failed, his constitution became unequal to the onerous task of setting the house in order, which had so long been at dis-

* See Appendix.

union, and he was replaced by Sir Charles Metcalfe, so well known for his distinguished civil services in India and in Jamaica.

The experiment of amalgamating the French Canadians with the Reformers of Upper Canada was under his auspices, tried; and although the Government had a most triumphant and decided majority in the Parliament, still great dissatisfaction existed in the country, on account of the persons who took a leading part in the rebellion having been rewarded with the loaves and fishes, and the British residents, and the British Canadians loudly and plainly proclaimed their sense of the injustice.

Amongst these, the *Quebec Gazette*, decidedly one of the most talented (to use the Irish phrase) of the Canadian journals, thus spoke in the person of the Hon. John Neilson, M. P. P., the Nestor of Reform, and whose opinions, were perhaps decisive of the general feeling. He was the proprietor of the paper. "We have no doubt, however, that the majority of the newspapers, and the majority of newspaper readers in Canada, disapprove of the present Provincial Administration, or are waiting to see what they may do, in order to take a more decided stand upon the subject."

That the French Canadians should be admitted at once, manfully, and for ever, to an equal share in the business, and management of the business, of Canada, was so self-evident, that it is utter loss of time to argue about it at all; but that persons recently in hostile array against the Government, and whose example stimulated the decent and excellent peasantry to take up arms, should absorb every place

and office of profit and of power, seems little less than to acknowledge that theirs was a just cause.

It was wise, and a policy that might have been expected from the new ministry, to calm the excited feelings of the Lower Canadian, and even to go many steps out of the way to do so; but parties are much more equally balanced in Canada than election returns show, and the British and the French numerically unequal, the majority being in favour of the Saxon, instead of the Norman race.

Disquiet must therefore always reign in that fine Province, unless justice is firmly and impartially administered to both, without caring a jot for personal pretension, or the pretension of class and race; and I can conceive very little difficulty beyond the usual nine days' wonder, in selecting such an administration as will be able to carry out the principal of equal rights, without admitting either race to ride roughshod over the other.

The majority of the British settlers are devotedly loyal;* the French are, we trust, also disposed to honour the Crown, and they dislike their neighbours too much to render it probable that they will ever

* The Emigrants to Canada in 1842 were distributed as follows:

To Canada West, formerly Upper Canada	26,900
To the New Ottawa settlements	4,250
To Glengarry and Beauharnois.....	1,946
To the Eastern Townships of Lower Canada ..	2,755
To the North of Montreal.....	1,175
To the Public Works, and as Servants.....	3,479

Total 40,505

13,060 were forwarded by Government. 884 only were on the sick-list during the season, and 59 died after landing; 1,850 went to the United States.—*Kingston Chronicle*, Feb. 25, 1843.

sincerely join them. The Queen has declared that her whole power shall uphold the connection with England, and therefore all that is wanted is firmness and impartiality in the making of that power felt.

The future of Canada is bright, and the general polity of the colonial empire is now so clearly marked, that Canada will neither "be lost nor given away," and every friend to Britain looks anxiously to a permanently settled system of emigration thither, on a large and well-conducted scale; for as it must remain, and will be essentially a British province, the central dominion of English laws and English feeling in North America, the day will come, in the ripeness of time, when the five provinces will form one great whole, with Quebec for the metropolis, of a country which must extend from the Atlantic to the Pacific, and control the destinies of one grand and powerful division of the Anglo-Saxon race.

Let us therefore hope that the French Canadian will see that his real interest and his real glory consist not in vain opposition to a power before which the Roman and the Greek empires of old sink into insignificance. Let him bless the hour when its mighty ægis was thrown before him for his protection, and instead of attending to the cabals of interested individuals, let him rouse himself to open out the endless resources of his native soil, and hand down to his posterity the proud boast of being the active labourer in perfecting the grand schemes now afoot to render Canada the cynosure of Transatlantic States, and the right arm of Great Britain.

SUPPLEMENTARY CHAPTER.

Serious riots in Montreal in 1849—Destruction of the Houses of Parliament — The Governor-general assailed — Death of Lieutenant-general Sir Benjamin D'Urban.

THE Right Honourable the Earl of Elgin and Kincardine having been appointed to the Government of British North America in succession to Lord Metcalfe* and Earl Cathcart,† and after having successfully administered the government of Jamaica, His Excellency arrived at Halifax, in the beginning of 1847, and, on being presented with a congratulatory address by the principal inhabitants, showed himself to be a nobleman of great intelligence and a scholar, by the happy manner of his reply.

His Excellency then proceeded to Montreal, where he took up his residence at Monklands, three miles from town, and devoted himself, to the best of his judgment, in promoting the interests of the extensive regions under his authority. Though some of His Lordship's ministers had been disaffected to British authority during the rebellions of 1837-38, yet

* Whose admirable career has yet to be written.

† A highly distinguished officer.

His Excellency's government worked with tolerable smoothness till the spring of 1849, when the following serious occurrences took place.

The season was an open one; the St. Lawrence was early free of ice, and, owing to the unexpected arrival of vessels with merchandise at the port of Quebec, it was deemed advisable that His Lordship should proceed, on a short notice, to Parliament, on the 26th April, in order to give the Royal Assent to a Customs Bill, which had that day passed the Legislative Council. Lord Elgin deemed it expedient, at the same time, to dispose of the other Acts, in which the two branches of the local Parliament had, at an earlier period of the session, concurred, and which still awaited his decision; among these was the Act to provide for the indemnification of parties in Lower Canada, whose property was destroyed during the rebellions of 1837-38, with respect to which much excitement had been stirred in and out of Parliament.

Many persons had disapproved of the measures respecting rebellion losses in Lower Canada, which had been introduced by the Government, and which the local Parliament had passed by large majorities; and, in the minds of others, to use the language of a despatch, "it stirred national antipathies, which designing politicians sought to improve for their own selfish ends."

The British party in Lower Canada, who had turned out most loyally and gallantly in the rebellion, could not brook that those who had pursued an opposite course should now entertain the idea,

that their losses during the rebellion should be made good, and that a tax should be imposed for this purpose.

The British party imagined, that, by the Indemnity Bill, all indiscriminately who had suffered loss during the rebellion should be indemnified, whether they had turned out against the Government or not; when it was alleged by the opposite party, that, after due inquiry, only those who had incurred losses by no fault of their own should be indemnified.

The Parliament was denounced as French in its composition, and the Government as subject to French influence; and doctrines had been broached with respect to the right which belongs to a British minority, of redressing by violence any indignity to which it might be subject from such a source.

When Lord Elgin left the Parliament-house, after giving the Royal Assent to the Bills above alluded to, among others the Rebellion Losses Indemnity Bill, as he entered his carriage (which was escorted by provincial cavalry) he was received by a crowd with hootings and groans, whilst a knot of individuals, respectably dressed, pelted the carriage with various missiles collected at hand.

The Houses of Parliament were under one roof; the building was formerly the St. Anne's market, which had been fitted up for Legislative purposes after the seat of Government, which had been at Kingston, was removed to Montreal. Besides two spacious halls, for the Legislative Council and the Legislative Assembly, well furnished, and orna-

mented with handsome pictures of Her Majesty, there were valuable libraries belonging to the above two bodies, and archives and records of the United Provinces.

Notwithstanding the great excitement which prevailed outside the Parliament House after the Governor-general had retired, the House continued in session, and, apparently, in perfect confidence, although Sir Allan Macnab had warned the party of the ministers, that it would be advisable to call for military assistance, as the populace were understood to be in a state of ferment, and a riot might be expected.

It soon became known that a public-meeting had been called; a caleche passed, with a bell, and a person, announcing the meeting to take place in the Champ de Mars, at eight o'clock, was heard from the House; the fire-bells were also rung in the city, to create an excitement.

Accordingly, at the Champ de Mars, a large number of persons assembled; the sloping bank and the stone steps there were crowded with persons, many of whom bore torches. Some inflammatory speeches were made on the occasion, with reference to the Rebellion Losses Bill, &c., and suddenly there was a cry, "To the Parliament House!"

The crowd immediately organized themselves hastily into a sort of procession, and first marched and then ran down, in an excited state, to the Parliament buildings. It was nine o'clock, and the House of Assembly was engaged in discussing the Judicature Bill for Lower Canada; there was neither police nor

military in the way, when a loud shout, mingled with yellings, gave the members unmistakable evidence that a riot was fermenting outside, and immediately after a number of stones were driven through the windows. The strangers' gallery was immediately deserted, some of the members escaped by it, and others took refuge behind the Speaker's chair, whilst the stones continued to be thrown incessantly.

The missiles came at first from the front of the building, but presently they came from the back also, till very little glass was left in the windows. There was a short cessation in the attack and several of the members again entered the house from the lobbies, but the stones were again thrown and fell in the centre of the hall through the shattered windows; then a cry was raised from the library end of the building—"They come!" and the members and clerks there rushing across the hall disappeared at the opposite end.

A dozen persons now entered the Hall of Assembly from the library end, armed with sticks; one of them, a man with a broken nose, walked up the steps and seating himself in the Speaker's chair, said in Cromwellian style, and waving his hand, "I dissolve this house!" The others then commenced the work of destruction, the papers were struck off the members desks into the middle of the floor with sticks. Some tore up the benches and hurled them also into the middle of the floor, whilst others threw their sticks at the chandeliers and globe-lights on the walls, and demolished them.

The splendid mace, silver-gilt and ornamented with

the imperial crown and Canadian beavers, lay under the table, as the House was in Committee, but one of the rioters seeing it, he seized it up and carried it off on his shoulders, when the Serjeant-at-arms, whose province it was to guard the mace, rushed upon the man who bore it, and endeavoured to rescue it, but he was overpowered by others, and the mace was borne into the street.

The Honourable William Robinson, M.P.P., and Colonel Gagy, M.P.P., exerted themselves to expel the rioters from the House. Sir Allan Macnab assisted to save the Queen's picture, when suddenly a red glare of light from below showed that the building had caught fire. It is not believed that the rioters had any intention originally to fire the Parliament-house; they certainly wished to testify their indignation by pelting and hooting those who had been instrumental in passing the obnoxious Rebellion Loss Bill, but meeting with little or no opposition in the work of destruction, and heated with passion, they probably broke the gas-pipes, and thus the fire rapidly spread to all parts of the building.

Sir Allan Macnab, the Honourable Mr. Badgley, Mr. Turner, Editor of the Courier, and others, tried to save some of the valuable books in the library of the Assembly, the other picture of the Queen, in the Council-chamber, was also carried out by Mr. W. Snaith, Jun. and Mr. Hargrave; it cost £500 and was painted by Partridge, and for a time disappeared. But now the flames spread so rapidly that every one was obliged to seek safety in flight, and Sir Allan, Mr. Badgley, Mr. Steers and Mr. Macfarlane, were

pursued by the flames, were scorched, and were eventually taken off a gallery with ladders.

The flames now enveloped the whole of the building, and the military having been sent for, when too late, could only keep back the crowd, which drew up on the foot-path to view the conflagration, which illuminated the whole city and rolled its black volumes of smoke towards the Montreal mountain. Some fire-engines tried to play on the building but ineffectually; however they saved some neighbouring houses which had caught fire, also the Grey Nunnery. There was a smart breeze blowing, and burning paper, in great quantities was carried along the ground in flakes of fire. It was altogether an imposing but a very painful sight, chiefly on account of the destruction of the two valuable libraries and a large portion of the public records of the Province. The *Pilot* office, where the Ministerial paper was printed, was visited by the mob, and the windows demolished, after which, for that evening the work of destruction closed, and the morning sun looked on the smoking and empty walls of the late Houses of Parliament.

On their way from the Parliament building, the mob escorted the person carrying the mace, in a caleche, and when they came opposite Donegani's Hotel, where Sir Allan Macpab lived, a cry was raised that the mace should be left in his keeping, as the late popular Speaker; but a struggle taking place for its possession, some of the beavers were broken off—however the mace eventually was carried into Sir Allan's room.

The Commander of the Forces, his Excellency Lieutenant-general Sir Benjamin D'Urban, G.C.B.,—an

officer of the highest character, and of great experience as a soldier and as a civil governor,—now arrived with his staff from his country residence at Sorel,* and made arrangements for the suppression of riot and disorder; but for a whole month the city continued in a ferment,—so roused had the people become,—so infuriated against each other were parties,—the British or the old Loyalists, and the French or Ministerial party.

The Government now made several arrests. Messrs. Heward, Montgomerie, Mack, Esdaile, and Ferres were taken into custody, and marched off to gaol, on the plea that they had excited and headed the rioters at the destruction of the Parliament House. The people threatened to rescue them, and beat and insulted several of the Members obnoxious to them, who came in their way,—as Mr. Holmes, Mr. Watts, Mr. H. Boulton. The military were drawn across the street at the old Government House, in Nôtre Dame-street, where the Ministers were sitting in council and the mob continued to hoot and pelt the members of the Ministry and their supporters who attempted to come out of the conclave within. The soldiers every now and then cleared the ground, by marching to and fro with fixed bayonets, and the people always retired before them, cheering and laughing, as there was, of course, no ill feeling between them and the soldiers.

At night, the assemblage in front of Government-

* His personal staff at this time consisted of Captain Kirkland, Military Secretary, Major Talbot, Sir J. E. Alexander, and Captain V. Murray, Aides-de-camp.

house became more dense ; signals were passed among the crowd, and suddenly a large body moved off towards the St. Antoine suburb, where, attacking the residence of the Prime Minister, Mr. Lafontaine, the stables were destroyed by fire, and the house ransacked inside ; the furniture broken, feather-beds emptied to the wind, books tumbled from their shelves, and the whole house became a wreck. Fortunately for the family, they escaped before the rioters arrived. The mob moved so swiftly and silently, that the military did not reach the house of Mr. Lafontaine—who omitted to have a guard there, after the warning he had had by the destruction of the Parliament House,—till the mischief was done.

The rioters next visited Mr. Drummond's house ; there they found a guard, and no damage ensued. At Messrs. Baldwin and Cameron's boarding-house the windows were broken ; also at Dr. Wolfred Nelson's residence, and at the houses of Messrs. Hincks, Holmes, and Charles Wilson.*

The Executive had in a manner left the city for two days in the hands of the mob, though a powerful military force only waited the requisition of the civil authorities to turn out and maintain the supremacy of the law ; and now perhaps, because the military had not come up in time to prevent the unexpected move on Mr. Lafontaine's house, the singular expedient was resorted to of arming with cutlasses and pistols 500 partizans collected from the suburbs, young French Canadians, Irishmen, &c., " for the protection of lives

* The energetic Mayor in 1851.—EDITOR.

and property." If the householders had been asked, they would immediately have turned out as special constables, and acted with the two strong regiments in garrison, the 19th and 23rd.*

The drilling of the armed constables during the night at the Bonsecours Market occasioned an immense ferment among the opposite party. They again organized themselves, and were marching to disarm the constables by force, when they were met by General Gore and Colonel Gagy, who harangued them, said the arming was "a mistake," and that next morning one part of the population should not be armed against the other. The mob was accordingly pacified and retired. If they had gone on there would have been a fearful scene of bloodshed.

Another riot was nearly excited by the arrival from Quebec of a deputation to offer protection to the Governor-general; but the members of this deputation, learning that they would probably be met on the wharf by an angry mob, prudently left the steamer, and landed in the outskirts of Montreal and entered the City in the evening, without exciting observation.†

The loyal inhabitants of the city now held a meeting, and put forth an address, signed by 200 respectable names, inviting the citizens to preserve peace and order. This had, to a certain extent, a tranquillizing effect; but a new source of uneasiness arose from the

* The want of an efficient civil force at this time in Montreal, caused the military authorities to remonstrate against the employment of the troops for police duties, this may explain the expedient of the armed constables.

† The address from Quebec was one of a number presented at this time to Lord Elgin from different parts of the country.

ministry having arranged to get up an address of confidence in the Governor-general, and deciding that his Excellency should receive it in town, instead of at his official country residence at Monklands.*

Lord Elgin accordingly drove into town in his carriage and four to receive the Address at the Old Government-house. His Excellency was accompanied by the Honourable Colonel Bruce, his brother and Military Secretary, Lord Mark Kerr, and Lieutenant Grant, A.D.C's., and he was escorted by Captain Jones's troop of Provincial Dragoons. The Infantry were drawn up opposite Government-house. As His Lordship entered the city, he was assailed by a shower of stones in the Haymarket and Great St. James-street, thrown by some stout mechanics in fustian jackets; and again as he proceeded along Notre Dame-street, he was obliged to keep his hat before his eyes to guard his face from the missiles, and entered Government-house, carrying with him a 2lb. stone, which he picked up from the bottom of the carriage: altogether most unusual treatment for Her Majesty's Representative to receive, and very painful to witness.

There was a great and angry crowd in the streets, who, expecting His Lordship's return by the same route he had passed along, had made preparations for obstructing him, and for upsetting his carriage by drawing cabs across the street; but it was a maxim of the renowned Rob Roy, "never to return by the same

* It was considered that the address was a necessary sequel to the events which had preceded it, and that its presentation at the Government Buildings, in Montreal, was the proper and customary course, and that on constitutional grounds it could not have been presented at Monklands.

road you went, if you expect any trouble;" accordingly, when His Lordship re-entered his carriage, instead of turning round, he directed the carriage to proceed straight forward, and doubling on the mob, he passed rapidly along St. Denis and Sherbrooke-streets to gain Monklands by a circuitous route.*

When the mob perceived this clever manœuvre, they were much exasperated, and rushing on foot and in cabs by by-streets to intercept the carriage in Sherbrooke-street; a considerable number came up in time to assail it with stones at "Molson's corner." Colonel Bruce's head was cut and bled, Colonel Ermatenger, Police-Magistrate, was stunned; also Captain Jones, and every panel of the carriage was stove in. The escort was not loaded, or several lives would have been lost; the postilions, as the rioters were crowding in front, turned sharp up the Mile-end-road, and by good and rapid driving, soon cleared the excited multitude. His Lordship reached Monklands in safety, though he had certainly a very narrow escape from personal injury,—the exasperation was so great against him for signing the obnoxious Rebellion Loss Bill.

About this time there was some bloodshed, in consequence of the Ministers and their friends having given a political dinner at Tetus Hotel to a deputation from their party at Toronto. Toasts were given, and there was a good deal of cheering; this was answered by groans from without. A crowd had collected, and

* This arrangement was made for not by Lord Elgin; it originated with the heads of the military and civil force, on the spot, who urged it most strenuously, and the *welcome* prepared at Nôtre Dame-street justified the advice.

empty bottles having been imprudently thrown out at them, stones were returned, and an attempt made to force the door, which was resisted with knives and pistol shots ; two or three of the mob were wounded, and the house ran the risk of being fired, had not a strong party of the military (horse and foot), under Colonel Hay (Commanding 19th Regiment), promptly arrived and quieted the disturbance.

Mr. Lafontaine's house was again attacked, but this time being prepared for the mob, they were received with a volley of musketry from the windows ; which taking effect fatally on a young man named Mason, the rioters dispersed. At the Coroner's Inquest, Mr. Lafontaine being present to give evidence, the hotel (where it was held) was set on fire from above, and an attempt was made to do violence to Mr. Lafontaine in the confusion, but a party of the 71st Highlanders saved him.

The Parliament now held its sittings in the new building of Mr. Hays, in Dalhousie-square. Sir J. E. Alexander had searched for and recovered in different places, in the outskirts of the city, the portraits of Her Majesty, which had been carried off the night of the burning of the Parliament-house. They were repaired, and resumed their places ; and things were beginning to assume an air of comparative tranquillity after a month of intense anxiety and excitement, when the closing scene of this painful history was the sudden demise of one of England's most accomplished generals. His Excellency, Sir Benjamin D'Urban,—worn out in the service of his country, and having fought her battles in the Peninsula

and South of France, and in Africa, and administered the Governments of Antigua, British Guiana, and the Cape of Good Hope, with the greatest advantage to the public,—fell back on his bed, on the 25th of April, and expired at the age of seventy-two, from an affection of the throat. As an Obelisk, erected to his memory by the officers serving in Canada, records, “He died as he had lived, in the faithful discharge of his duty to God and his sovereign.”

The Parliament was prorogued by Lieutenant-general Rowan, C.B., now appointed to command Her Majesty's Forces, and Lord Elgin proceeded to Toronto, as the seat of Government, which, in 1851, is transferred to Quebec.

A P P E N D I X.

NEW BRITISH POSSESSIONS ACT,

To take effect in Canada on the 5th July, 1843.

ANNO QUINTO ET SEXTO VICTORIÆ REGINÆ.

CAP. XLIX.

An Act to amend the laws for the Regulation of the Trade of the British possessions abroad.—[16th July, 1842.]

WHEREAS an Act was passed in the third and fourth years of his late Majesty King William the Fourth, intituled An Act to regulate the Trade of the British Possessions abroad, hereinafter designated as “The Possessions Act:” And whereas it is expedient to make certain alterations and amendments therein: Be it therefore enacted by the Queen’s most Excellent Majesty, by and with the advice of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that, except as hereinafter is provided, from and after the fifth day of July one thousand eight hundred and forty-three, so far as relates to the British possessions in

North America, and from and after the fifth day of April one thousand eight hundred and forty-three, so far as relates to the British possessions in South America and the West Indies, and from and after the fifth day of July one thousand eight hundred and forty-three, so far as relates to the Mauritius, this Act shall come into and be and continue in full force and operation for all the purposes mentioned herein.

II. And whereas, under or by virtue of an Act passed in the fourth year of his late Majesty George the Third, intituled an Act for granting certain duties in the British Colonies and Plantations in America, for continuing, amending and making perpetual an Act passed in the sixth year of the Reign of His late Majesty King George the Second, intituled An Act for the better securing and encouraging the trade of his Majesty's Sugar Colonies in America; for applying the produce of such duties and of the duties to arise by virtue of the said Act, towards defraying the expenses of defending, protecting and securing the said Colonies and Plantations; for explaining an Act made in the twenty-fifth year of the Reign of King Charles the Second, intituled an Act for the encouragement of the Greenland and Eastland trades, and for the better securing the Plantation trade; and for the altering and disallowing several drawbacks on exports from this Kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said Colonies and Plantations, and improving and securing the trade between the same and the United Kingdom, the following duties are chargeable upon wines imported into the British possessions in America; (that is to say),

For every ton of wine of the growth of the Madeiras, or of any other island or place from whence such wine may be lawfully imported, and which shall be so imported from such islands or places, the sum of seven pounds :

For every ton of Portugal, Spanish, or any other wine [except French wine], exported from the United Kingdom, the sum of ten shillings :

And whereas, under or by virtue of an Act passed in the sixth year of the Reign of His late Majesty King George the Third, intituled an Act for repealing certain Duties in the British Colonies and Plantations granted by several Acts of Parliament, and also the Duties imposed by an Act made in the last Session of Parliament upon certain East India goods exported from the United Kingdom, and for granting other duties instead thereof, and for further encouraging, regulating, and securing several branches of the trade of this Kingdom and the British dominions in America, the following duties are chargeable upon molasses and syrups and British pimento imported into the British possessions in America ; (that is to say),

For every gallon of molasses and syrups [except as in the same Act is mentioned], one penny :

For every pound weight avoirdupois of British pimento [except as in the same Act is mentioned], one half-penny :

And whereas, under or by virtue of an Act passed in the fourteenth year of the Reign of His late Majesty King George the Third, intituled an Act to establish a fund towards further defraying the charges of the Administration of Justice and support of the Civil

Government within the Province of Quebec in America, the following duties are chargeable on brandy, rum, and spirits, imported in any port of Canada ; (that is to say),

For every gallon of brandy or other spirits of the manufacture of the United Kingdom, threepence :

For every other gallon of rum or spirits which should be imported or brought from any of His Majesty's sugar colonies in the West Indies, sixpence :

For every gallon of rum or other spirits which should be imported or brought from any other of His Majesty's colonies and dominions in America, ninepence :

For every gallon of foreign brandy, or other spirits of foreign manufacture, imported or brought from the United Kingdom, one shilling.

For every gallon of foreign brandy, or other foreign manufacture, imported or brought from the United Kingdom, one shilling.

For every gallon of rum or spirits of the produce or manufacture of any of the Colonies or plantations in America not in the possession, or under the dominion of, His Majesty, imported from any other place except the United Kingdom, one shilling.

And whereas it is expedient that the several herein before-mentioned duties imposed by the said Acts respectively should be repealed, be it therefore enacted, that so much of the said three several Acts of His late Majesty King George the Third, as imposes or authorises the charge of the herein before-mentioned duties upon wine, molasses, pimento,

and spirits respectively, shall be, and the same is, hereby repealed.

III. And whereas by the said Possessions Act it was enacted, that the several sorts of goods enumerated and described in the table therein mentioned, denominated, "A table of prohibitions and restrictions," should be prohibited to be imported, or brought either by sea or inland navigation, into the British possessions in America, or should be so imported or brought only under the restrictions mentioned in such table, according as the several sorts of goods are set forth therein, and that if any goods should be imported or brought into any of the British possessions in America contrary to any of the restrictions mentioned in such table in respect of such goods, the same should be forfeited; and that if the ship or vessel in which such goods should be imported should be of less burden than seventy tons, such ship or vessel should also be forfeited; and whereas it is expedient that the prohibitions established by the lastly herein before-recited enactment should be materially modified, and that for this purpose the said enactments should be repealed, and such prohibitions should be enacted as herein before are mentioned; be it therefore enacted, that so much of the said Possessions Act as prohibits the importation of the goods enumerated and described in the table in the said Act, contained and herein before mentioned, and as declares the forfeiture of such goods, and of certain vessels importing the same, as herein before is mentioned, shall be repealed.

IV. And be it enacted, that the several sorts of goods enumerated or described in the table following, denominated, "A table of prohibitions and restrictions," are hereby prohibited to be imported or brought, either by sea or by inland carriage or navigation, into the British possessions in America or the Mauritius, or shall be so imported or brought only under the restrictions mentioned in such table, according as the several sorts of such goods are set forth therein : (that is to say,)

A TABLE OF PROHIBITIONS AND RESTRICTIONS.

Gunpowder ; ammunitions, arms, or utensils of war, prohibited to be imported, except from the United Kingdom, or from some other British possession ; coffee ; sugar, not being refined, in bond in the United Kingdom ; molasses ; rum, being the produce or manufacture of any British possessions within the limits of the East India Company's Charter, except and subject as hereinafter provided, or being of foreign produce or manufacture, prohibited to be imported into any of the British possessions on the Continent of South America or in the West Indies, (the Bahama and the Bermuda Islands not included,) or into the Mauritius, except to be warehoused for exportation only, and may also be prohibited to be imported into the Bahama or Bermuda Islands by Her Majesty's Order in Council ; base or counterfeit coin ; books, such as are prohibited to be imported into the United Kingdom, prohibited to be imported.

And if any goods shall be imported or brought into any of the British possessions in America or the Mauritius contrary to any prohibitions or restrictions mentioned in such table in respect of such goods, the same shall be forfeited; and if the ship or vessel in which such goods shall be imported be of less burden than seventy tons, such ship or vessel shall also be forfeited.

V. Provided always, and be it enacted, that it shall be lawful to import into any British possessions in the West Indies and South America, and into the Mauritius, any coffee, the produce of any British possessions within the limits of the East India Company's Charter, and also any sugar, the produce of any British possessions within the limits of the East India Company's Charter, into which the importation of sugar, the produce of any foreign country, or of any British possession into which foreign sugar may be legally imported, has been prohibited; and also any rum, the produce of any British possession within the limits of the East India Company's Charter, into which the importation of rum, the produce of any foreign country, or of any British possession, into which foreign sugar or rum may be legally imported, has been prohibited; provided, nevertheless, that no such coffee, sugar, or rum shall be entered in any British possession in the West Indies or South America, or in the Island of Mauritius, as being the produce of any British possession within the limits of the East India Company's Charter, from which the same may be legally imported under the proviso last aforesaid

unless the master of the ship importing the same shall have delivered to the collector or principal officer of the Customs at the port of importation such certificate of origin as hereinafter is mentioned, under the hand and seal of the proper officer, at the place where the same shall have been taken on board ; and such master shall also make and subscribe a declaration before the proper officer of the Customs that such certificate was received by him at the place where such coffee, sugar, or rum was taken on board, and that the coffee, sugar, or rum, so imported is the same as mentioned therein ; and such certificate of origin shall, as regards coffee, certify that a declaration in writing had been made and signed before the officer giving such certificate, the contents of which he believed to be true, by the shipper of such coffee, that the same was really and *bond fide* the produce of some British possession ; and such certificate of origin shall, as respects sugar, state the name of the district in which such sugar was produced, the quantity and quality thereof, the number and denomination of the packages containing the same, and the name of the ship in which they were laden and the master thereof, to the officer giving the same, by the shipper of such sugar, and shall likewise certify that there had been produced a certificate under the hand and seal of the collector or assistant-collector of the land or customs revenue of the district within which such sugar was produced, that such sugar of the produce of the district, and that the importation into such district of foreign sugar, or sugar the growth of any British possession into which foreign sugar can

be legally imported, is prohibited ; and such certificate of origin shall, as respects rum, state the name of the district in which such rum was produced, the quantity and strength thereof, the number and denomination of the packages containing the same, the name of the ship in which they were laden and of the master thereof, and shall also testify that there had been produced to the party giving such certificates, by the shipper of such rum, a certificate under the hand and seal of the collector or assistant collector of the land or customs revenue of the district within which such rum was produced, that the same was the production of such district.

VI. And whereas by said Possessions Act it is enacted, that there shall be raised, levied, collected and paid unto Her Majesty the several Duties and Customs, as the same are respectively set forth in the figures in the Table of duties therein after contained, upon goods, wares and merchandize imported, or brought into any of Her Majesty's possessions in America, and in and by the said Table certain articles are therein declared to be exempted from or free of such Duties ; and it is by the said Possessions Act provided, that no greater proportion of the Duties imposed thereby, except as therein excepted, shall be charged upon any article which is subject also to Duty under any of the Acts therein referred to, or subject also to Duty under any Colonial law, than the amount, if any, by which the Duty charged by the said Possessions Act should exceed such other Duty or Duties, and it is thereby further provided, that the full amount of Duties mentioned therein, whether on

account of such former Acts, or on account of such Colonial law, or on account of the said Possessions Act, shall be levied recovered and received under the regulations and by the means and powers of the said Possessions Acts: And whereas it is expedient that the said Duties should be repealed, and other Duties substituted in lieu thereof; be it therefore enacted, that the hereinbefore recited enactment, imposing Duties upon goods, wares, and merchandize imported or brought into any of Her Majesty's possessions in America, and so much of the said Possessions Act as extend any of such Duties to the Mauritius, and the said Duties and exemptions so imposed and established by the said Possessions Act, and the said several enactments in relation thereto, which are hereinbefore recited, shall be repealed.

VII. And be it enacted, That there shall be raised, levied, collected, and paid unto Her Majesty the several Duties of Customs as the same are respectively set forth in Figures in the Table of Duties hereinafter contained, upon goods, wares, and merchandize not being the growth, production, or manufacture of the United Kingdom, or any of the British Possessions in America, or of the Mauritius, or of any British Possessions within the limits of the East India Company's Charter, or the produce of any of the British fisheries, imported or brought into any of the British Possessions in America or the Mauritius by sea or by inland carriage or navigation:

TABLE OF DUTIES.

	<i>s.</i>	<i>d.</i>
Wheat Flour the Barrel of 196 lbs.	2	0
Fish of Foreign taking	{ Dried or Salted, the cwt. 2 0 Pickled, the Barrel 4 0	
or curing		
Meat, salted or cured the cwt.	3	0
Butter	"	8 0
Cheese	"	5 0
Coffee	"	5 0
Cocoa	"	1 0
Molasses	"	3 0
Sugar, unrefined	"	5 0
Refined sugar, the produce of and refined in foreign countries.	{ 20 per centum ad valorem.	
Tea, unless imported direct from China, or unless imported from the United Kingdom, or from any of the British possessions.	{ per pound 0 1	
Rum	per gallon	6 0
Other spirits and cordials	"	1 0
Glass manufactures	{ 15 per cent. ad valorem.	
Silk manufactures		
Spermaceti		
Wine whether bottled or not	{ 7 per cent. ad valorem.	
Cotton manufactures		
Linen ditto.		
Woollen ditto.		
Leather ditto.		
Paper ditto.		
Hardware ditto.		
Clocks and watches		

Manufactured tobacco	} 7 per cent. ad valorem.
Soap	
Candles, other than spermaceti ..	
Corks, cordage, and oakum.	

Oil, blubber, fins, and skins, the produce of fish, and creatures living in the sea, of foreign fishing, fifteen per cent. ad valorem.

Articles not enumerated, except such as are comprised or referred to in the adjoining Table of Exemptions.	} 4 per cent. ad valorem.

And if any of the goods hereinbefore proposed to be charged with duty, except sugar and tea, shall be imported through the United Kingdom [having been warehoused therein, and being exported from the warehouses, or the duties thereon if there paid, having been drawn back,]	} Such goods shall only be charged with three-fourths of the duties hereinbefore proposed.

TABLE OF EXEMPTIONS.

Coin, bullion, and diamonds; horses, mules, asses, neat cattle, and all other live stock; hay and straw; tallow and raw hides; salt; rice; corn and grain unground; biscuit or bread; meal or flour, except wheat flour; fresh meat; fresh fish; fruit and vegetables, fresh; carriages of travellers; wood and lumber; cotton wool; hemp, flax, and tow; drugs; gums and resins; tortoise-shell; manures of all kinds.

Herrings, taken and cured by the inhabitants of the Isle of man, and imported from thence.

Provisions and stores of every description imported or supplied for the use of Her Majesty's land and sea forces.

All goods imported from the United Kingdom, after having there paid the duties of consumption, and imported from thence without drawback.

VIII. And be it enacted, that the articles enumerated or mentioned in the table of exemptions hereinbefore contained, shall be imported without payment of any duty under this Act, and also such of the following articles; (namely),

Salted or cured meat; flour; butter; cheese; molasses; cork wood; cordage; oakum; pitch; tar; turpentine; leather and leather-ware; fishermen's clothing and hosiery; fishing craft utensils, instruments, and bait; as shall be imported for the use of the British fisheries in America, into any place at or from whence any such fishery is carried on, subject to such regulations as the commissioners of customs, or the principal officer of customs at such place, shall make, and which they and he are hereby empowered to establish, for the purpose of ascertaining that such articles are *bond fide* intended to be applied to the use of such fisheries, or that such provisions or stores as aforesaid, are *bond fide* imported or supplied for the use of Her Majesty's land and sea forces.

IX. And be it enacted, that there shall be raised, levied, collected, and paid unto Her Majesty a duty of ten pounds for every one hundred pounds of the value upon sugar refined in bond in the United Kingdom,

not being of the growth of any of the British possessions in America or of the Mauritius, or of any of the British possessions within the limits of the East India Company's charter, imported or brought into any of the British possessions in America, or into the Mauritius, by sea or by inland carriage or navigation.

X. And be it enacted, that if in any of the British possessions in America or the Mauritius any duty be chargeable by any colonial law upon any articles being the growth, produce, or manufacture of the United Kingdom, or of the British possessions in America, or of the British possessions within the limits of the East India Company's charter, or the produce of British fisheries, beyond the duty (if any) chargeable by such colonial law upon similar foreign articles, the imperial duty thereby imposed upon such foreign articles shall be increased by such excess or amount (as the case may be) of the duties so chargeable by such colonial law upon similar British articles; and that if in any of the British possessions in America or the Mauritius any duty be chargeable by any colonial law upon tea imported direct from China, or imported from the United Kingdom, or any of the British possessions, beyond the duty (if any) chargeable by such colonial law upon tea not so imported, the imperial duty hereby imposed upon tea not so imported shall be increased by such excess or amount (as the case may be) of the duties so chargeable by such colonial law upon tea imported direct from China, or imported from the United Kingdom, or from any of the British possessions.

XI. And be it enacted, that it shall and may be law-

ful for Her Majesty, by and with the advice of Her Privy Council, by any order or orders in Council, to be issued from time to time, to direct that any article described in such order, being an article chargeable under this Act as an unenumerate article, with a duty of four per cent. *ad valorem*, shall be added to the list of exemptions hereinbefore set forth, and shall be free from such duty, and from and after the time mentioned in such order for the commencement of such exemptions, not being less than six months from the date thereof, such exemptions shall take effect, and such article shall thenceforth, whilst such order shall continue in force, be free from such duty accordingly; and any such order may at any time be suspended or revoked by Her Majesty, with the advice of Her Privy Council, by any other order in Council.

XII. And be it enacted, that the duties imposed by this Act shall be levied and recovered and received under the regulations and by the means and powers of the Possessions Act, except such of the said regulations as are repealed or altered by this Act.

XIII. And be it enacted, that all sums of money granted or payable under this Act, or under the Possessions Act, as duties, penalties, or forfeitures, in the British possessions in America or the Mauritius, shall be deemed, and are hereby declared to be, sterling money of Great Britain, and shall be collected, recovered, and paid to the amount of the value which such nominal sums bear in Great Britain; and that such moneys may be received and taken in sterling money of Great Britain, or in foreign coins, at such rates as shall be equivalent to sterling money of Great Britain, and

which shall have been fixed by any proclamation issued by Her Majesty; that all duties under this Act shall be paid and received in every part of the British possessions in America and in the Mauritius according to the imperial weights and measures now by law established; and that in all cases where such duties are imposed according to any specific quantity or any specific value, the same shall be deemed to apply in the same proportion to any greater or less quantity of value; and that all such duties shall be under the management of the Commissioners of the Customs.

XIV. And be it enacted, that the net produce of the duties so received by the means and powers of this Act, shall be paid by the Collector of the Customs into the hands of the Treasurer or Receiver-general of the colony, or other proper officer authorised to receive the same in the colony in which the same shall be levied, to be applied to such uses as shall be directed by the local legislatures of such colonies respectively; and that the produce of such duties, so received as aforesaid in the colonies which have no local legislature, shall and may be applied in such manner as shall be directed by the Commissioners of Her Majesty's Treasury.

XV. And be it enacted, that goods, the produce or manufacture of the islands of Guernsey, Jersey, Alderney, or Sark, when imported from such islands into the British possessions in America, or the Mauritius, shall be admitted to enter upon payment of the same duties as are payable upon the like goods, the produce or manufacture of the United Kingdom, or of any of the said Possessions, upon production to the principal Officer of Customs at the port of importation of the proofs now

required by law that such goods are the production or manufacture of the islands aforesaid.

XVI. And whereas the hereinbefore recited provisoes contained the said Possessions Act, which provide that no greater proportion of the duties imposed by that Act, shall be charged upon any article which is subject also to duty under any of the Acts therein referred to, and subject also to duty under any Colonial law, than the amount, if any, by which the duty charged by the said Possessions Act shall exceed such other duties, and that the full amount of the duties mentioned in the said Possessions Act, whether on account of such former Acts, or on account of such Colonial law, or on account of the said Possessions Act, should be levied and recovered and received under the regulations and by the means and powers of the said Possessions Act have been understood and acted on in divers different senses in the several British possessions in America and the Mauritius, and in some of the aforesaid possessions certain duties have been imposed by the Colonial Legislature or other Authorities having the power to impose duties, which duties have been expressly directed by the Colonial Acts, or Ordinances imposing the same, to be in addition to or over and above the duties imposed by the said Possessions Act, and in those and others of the aforesaid possessions the duties respectively imposed upon articles by the said Possessions Act, and by the Colonial Acts and Ordinances in such possessions, have, notwithstanding the aforesaid provisoes, been collected in full without any such abatement as in the said provisoes is contemplated;

And whereas it is expedient that such collection in full of the said Imperial and Colonial duties shall be held to be good in law, notwithstanding the aforesaid provisions: And whereas doubts have been entertained whether the duties imposed on the importation of goods, wares, or merchandize into the West Indies by the said Possessions Act are, under the provisions of that Act, leviable upon the like goods, wares, and merchandize imported into the Mauritius from the United Kingdom: And whereas notwithstanding such doubts, the aforesaid duties have been levied upon goods, wares, and merchandize so imported into the Mauritius from the United Kingdom, and it is expedient that the levying of the same should be held good in law: Be it therefore enacted, that from and after the passing of this Act, no personal action, suit, or other proceeding shall be prosecuted or commenced against any Officer of Her Majesty's Customs, or any Officer or other person authorized by the Legislature, or other proper authorities of any of the aforesaid British possessions, for or in respect of such Officer or person having levied duties imposed by the said Possessions Act upon the importation of any article in full, without making any deduction therefrom in respect of duties imposed by any Colonial Law or Ordinance upon the same article, or for or in respect of such Officer or other person having levied duties imposed upon the importation of any article, by any Colonial Law or Ordinance in full without making any abatement or deduction therefrom, in respect of the duty imposed by the Possessions Act, upon the same article; and that no personal action, suit, or other proceeding, shall be prosecuted or com-

menced against any Officer of Her Majesty's Customs, or any other Officer or other person empowered by the proper authorities to collect duties in the Mauritius for or in respect of such Officer or other person having levied the like duties upon the importation of goods, wares, or merchandize into the Mauritius from the United Kingdom as are imposed by the said Possessions Act upon the importation of goods, wares, or merchandize into the West Indies; and if any action or suit or other proceeding whatsoever, shall be prosecuted or commenced against any Officer of Customs, or other Officer or person as aforesaid, by reason of anything done as aforesaid, it shall be lawful for the defendant in any such action or suit, or other proceeding as aforesaid, to apply to the Court in which such action shall be brought during the sitting of such Court, or to any Judge of such Court during vacation for stay of proceedings, and such Court and such Judge respectively shall stay such proceedings accordingly; and all payments which may have been made in respect of the duties, so levied in full, or without abatement or deduction as aforesaid, or in respect of such duties so levied upon the importation of such goods, wares, and merchandize into the Mauritius as aforesaid, shall be held to have been good and shall not be recoverable at law from any person or persons who may have received the same.

XVII. And be it enacted, that in any British possession in America in which the imperial duties, imposed by the said Possessions Act, and the Colonial duties, imposed by the laws of such Possession, have both been customarily levied in full, without making any deduction from the Imperial

duties, in respect of the Colonial duties, or from the Colonial duties in respect of the Imperial duties, it shall be lawful, from and after the passing of this Act, for the officers of the Customs, and other officers duly authorised, to continue so to levy, in full, such Imperial and Colonial duties respectively, during the continuance of the said Possessions Act, anything in the said Possessions Act contained in anywise notwithstanding.

XVIII. And be it enacted, that this Act may be amended or repealed by any Act to be passed in this present session of Parliament.

COMMERCIAL RELATIONS OF QUEBEC WITH GREAT BRITAIN AND THE COLONIES.

Statement of the number of vessels and tonnage, cleared at the Quebec Custom House, for each port in Great Britain, &c., during the year 1842.

<i>Cleared for</i>	<i>No. of Vessels.</i>	<i>Ton- nage.</i>	<i>Cleared for</i>	<i>No. of Vessels.</i>	<i>Ton- nage.</i>
Aberswith.....	5	962	Berwick	1	332
Aberavon.....	1	186	Cardigan	4	902
Ardrossan.....	1	382	Colchester.....	2	592
Aberdeen	10	3159	Carlisle.....	1	193
Ayr	3	608	Chester	1	299
Barnstable	1	283	Carmarthen	1	316
Beaumaris	2	1247	Cambwick-Pill ...	4	1057
Bideford	3	689	Cardiff	3	1024
Bridgewater	23	6749	Conway.....	1	309
Bristol	19	9435	Chatham	4	1319
Banff.....	1	282	Cork	29	10881
Boon	1	347	Clare.....	1	237
Ballyshannon	1	93	Dartmouth	1	203
Bantry	1	245	Donegal	2	275
Blyth.....	2	522	Drogheda.....	2	482
Belfast	24	10969	Dover	2	267
Brest.....	1	279	Downpatrick	1	190

<i>Cleared for</i>	<i>No. of Vessels.</i>	<i>Ton- nage.</i>	<i>Cleared for</i>	<i>No. of Vessels.</i>	<i>Ton- nage.</i>
Dublin	18	6124	Neath	3	568
Dundee.....	1	386	Newport	6	2039
Ennis	1	158	Newry	4	1914
Exmouth	1	336	New Ross	5	1931
Exeter	3	713	Plymouth	14	6511
Falmouth	9	3163	Portsmouth	5	2506
Fowey	2	818	Portrush.....	2	750
Feversham	1	239	Padstow	4	1431
Glasgow	4	1857	Portsea	1	289
Greenock.....	2	1467	Poole	6	1568
Garlestone	1	194	Pembroke	4	1691
Gloucester	7	2532	Preston	2	386
Grangemouth	3	1228	Port Madock	1	255
Galway.....	1	347	Peterhead	3	874
Glandore	1	294	Penzance	4	1064
Hull	22	9964	Pwllhelli	2	574
Hartlepool	1	315	Rye.....	1	210
Holyhead	4	838	Rochefort	2	1134
Irvine	1	238	Sunderland.....	20	5531
Kinsale.....	1	381	Southampton	8	2972
Kilrush.....	1	238	Seaton.....	1	147
Killala	1	203	Sheerness	2	1140
Kirkaldy	4	298	Swansea	5	1297
London.....	125	51679	Strangford	3	610
Liverpool	88	50852	Stocron	3	784
Lancaster	1	378	Sligo	7	1998
Llanelly	2	454	St. Ives	1	307
Lynn	4	1004	Tralee.....	3	901
Londonderry	6	3102	Tenby.....	3	800
Laine	2	1210	Voyd	1	244
Limerick	23	7889	Woolwich	2	785
Leith	6	2253	Weymouth.....	2	622
Loch Ryan	1	439	Wicklow.....	2	504
L'Orient	2	1029	Whitby	1	235
Milford.....	6	1534	Westport	3	641
Mumbles	4	1324	Whitehaven	6	1356
Menai Bridge	2	919	Waterford	15	4734
Minehead	1	204	Wexford	1	250
Maryport	1	180	Yarmouth	3	813
Maldon.....	2	530	Youghall	2	568
Montrose	2	546			
Newcastle.....	23	7276	Total.....	714	272400

Statement of the number of vessels, with their Tonnage cleared at the Quebec Custom House during the year 1842, for each port in the Lower Provinces, the West Indies, South America, &c., &c.

<i>Cleared for</i>	<i>No. of Vessels.</i>	<i>Tonnage.</i>	<i>Cleared for</i>	<i>No. of Vessels.</i>	<i>Tonnage.</i>
Jamaica	12	1760	Sydney, C B.	1	28
Porto Rico	1	179	St. John, N. B.	1	95
St. Michael's	1	55	Cambelton	1	40
Rio Janeiro	1	388	Dalhousie	9	442
Rio de la Plata	1	332	Bathurst	1	39
Buenos Ayres	1	200	Little Bay, New-		
St. John's, New-			foundland	1	225
foundland	1	88	Guysborough	4	209
St. George's Bay ..	3	174	Restigouche	7	303
Labrador	2	99	Canso	1	61
Ungava Bay	1	107	Shippigan	3	100
Halifax	26	1475	Garaquet	1	21
Miramichi	21	1036	Richibucto	1	44
Pictou	*15	5219			
Arichat	8	380	Total	125	13090

* Steam-ship Unicorn, 12 trips.—*Quebec Gazette*.

ARGUMENTS OF MR. MERRITT, OF THE WELLAND CANAL, RESPECTING THE TRANSIT TRADE FROM THE WESTERN STATES THROUGH CANADA.

MR. MERRITT.—I am happy to find a warm interest is manifested on this subject. That it is the most important that can be brought under consideration during the present session no person can doubt: of all others it should be fully discussed, as I much fear, from the observations of some honourable members, its object and design are but imperfectly understood. It is scarcely necessary to enter on political economy. The theory advocated by the honourable and learned member for Richelieu is un-

doubtedly correct; free trade is the only true principle, and well would it be for mankind if all Governments would act upon that principle; but as they do not, and will not, it is idle for us to attempt it. I was not a little surprised to hear the opinions entertained by the honourable the Inspector-general, and by the honourable member for the city of Montreal; they apprehend that it is not the intention of the Government of the mother country to admit wheat and flour from the Western States into the ports of Great Britain through Canada, after paying the proposed duty. As I entertain a very different opinion, it will be necessary, in order to explain the question fully, to go back and examine the changes which have taken place in the policy of the mother country; and I trust the Chairman of the Committee will bear with me in taking up more time on this occasion than ordinary on other subjects.

Heretofore, the trade of all Colonies was subject to restrictions, under the erroneous impression, that the subjects of the mother country were alone entitled to benefit by it. The universal discontent occasioned by an adherence to this policy in all Colonies invariably led to separation so soon as they were sufficiently numerous to effect it. After the loss of the American Colonies, a gradual change commenced in the colonial policy of Great Britain. In 1825, the late Mr. Huskisson introduced his system of discriminating duties, under which, articles grown in this country were admitted into Britain at a less rate of duty than from foreign countries, although at a higher duty than similar articles

grown by our fellow-subjects in Britain. It placed us in a better situation than foreigners, but it did not fully establish the great principle for which we contend, and recognise us as subjects; it placed us in a medium between the two, and was at least one step in advance. This change was hailed by the inhabitants of Canada as a great boon, and the most sanguine expectations were formed; many individuals embarked their capital—their all, under this hazardous and uncertain system. The temporary protection thus afforded by the Home Government was suddenly withdrawn, and wide-spread ruin is the consequence. It is notorious, that neither the grower, miller, merchant, nor shipper has ever realised a profit out of the productions of the soil when sent to the British market; that capital invested in land will not yield an interest; and we can never hope to see the country prosper under the present system. Notwithstanding the universal dissatisfaction which prevails throughout the country, the repeated applications which have been made by addresses from the Legislature, and petitions from the agricultural population, no change had been attempted until the last session of the Imperial Parliament, when the average price at which colonial grain could be admitted was reduced from 67s. to 58s. per quarter. This alteration was also intended for our benefit, but it has, in fact, placed the grower in Canada in a much worse situation. Owing to the distance at which he is situated from the home markets, and to the time required after the grain is harvested before it can reach the consumer, he is

subjected to the highest duty named, as well as all other charges; and were the averages lowered even to 40s., it would produce the same effect. It is, however, apparent, that after the Corn-bill was determined on, very great changes took place in public opinion, as well as in the Cabinet. The efforts made by the British North American Committee, and various individuals in London, to second the efforts of the colonists, as witnessed by the memorial from Lord Mountcashell and others, afford the best evidence of the one, and the declaration of Sir Robert Peel and Lord Stanley, of the other. It is the first time that you have heard a minister declare, that you should treat Canada as if she were an integral part of the kingdom. In what way, or in what manner is this great and all-important principle to be carried into effect for the mutual benefit of this great kingdom, of which we are hereafter to form a part? Surely not by the views and opinions expressed by the Inspector-general, which would, instead of increasing, annihilate the trifling trade we at present possess. All the grain grown in Canada does not supply the consumption of British North America. The quantity which could be exported to Britain, admitting that the entire population in all our commercial towns consumed American flour, would be trifling in the extreme. Can any person for a moment suppose that after lending us the credit of the nation for a million and a half, for the express purpose of completing our great leading communications from the great Western part of this continent to the ocean; after placing protecting duties on flour and wheat in their ports, to give

a preference to her vessels and seamen to convey the same; and after securing by this policy a vent for her manufactures for the consumption of millions of people already inhabiting the great western country above us—that a measure would be recommended by that cabinet, the effect of which would be to render those communications useless; to lay up our ships and vessels, or rather send them to seek employment in the American trade to Liverpool, and drive British manufactures from the greater part of the continent of America. The price of conveying a barrel of flour from Cleveland (Ohio) to Liverpool, during the present fall:—

	£	s.	d.
By way of Quebec, has been per barrel	1	12	7
By way of New York, ditto, ditto	1	8	7
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In favour of the Erie Canal and New York	0	4	0
When the average price of wheat in Britain			
is 64s. per quarter, foreign duty is 5s. 5d.			
sterling, colonial duty 7½d. or 8d.	0	5	4
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Leaving a balance in favour of Canada	0	1	4
Suppose to this we add the 3s. per quarter			
now proposed, equal to, per barrel.	0	2	1½
Suppose we place in favour of New York,			
per barrel	0	0	7½
which will effectually prohibit the transit of a single barrel of flour through Canada, and will prove an effectual protection for the English grower, and remove all apprehension of successful competition, through Canada. It is also apparent that the mother country			

has also in view the immense trade of the western part of the United States,—which will be conveyed by her ships and seamen paid with her manufactures, and will in a short time enable the province to realize a sufficient revenue from the tolls on our canals and the revenue on articles from foreign countries, to enable us to remove all duties on articles from Britain, and establish free trade in every sense of the word between the mother country and this colony, or in the words of Sir Robert Peel, between different parts of the same kingdom. One word as to the effect on the population of Canada. Admit that the duty so raised is for the purposes of revenue—every shilling so raised will be remitted on the articles now consumed from Britain, so that in the aggregate the burden will not be materially increased ; it will transfer the duty now collected from our fellow subjects in Britain to our competitors in the neighbouring States.—It will also possess this double advantage—a bounty by removing the duty in England, and a protection by imposing 2s. to 3s. per barrel duty on flour for our home consumption. Every man in Canada will see the value of his productions increased, and the value of his property, the effect of which need not be again repeated. It will soon make Canada the envy and admiration of our neighbours, and infuse new life and vigour throughout the whole Province, and by the effects produced prove the present policy fraught with wisdom and justice, and worthy of the enlightened statesmen who preside over the councils of the kingdom.

Cost of conveyance of one barrel of flour from Cleveland, Ohio, to Liverpool, *vid* Montreal, including all charges.

	Dollars.
Wheat at Cleveland, five bushels at 80 cts.....	4 00
Freight to St. Catharine's..... 8	0 40
Insurance and purchasing 2	0 10
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5 bushels to the barrel at 90 cts.	4 50
4 50 dols. cost at mill.	<hr/>
Freight per barrel flour to Kingston	0 15
Ditto ditto to Montreal	0 40
Six months' interest on 5 dols.	0 15
One per cent. com. at New York on draft, on London	0 05
Cooperage to put in shipping order.....	0 02
<hr/>	
At Montreal.....	5 32
<hr/>	
Shipping charges at Montreal, say	0 05
Insurance to Liverpool, 4 per cent. on 7 dols.	0 28
Freight to Liverpool, 4s. sterling.....	0 88
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	6 53
Less 8 per cent. Exchange	0 52
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Actual cost of a barrel of flour at Liverpool....	6 01

Charges in Liverpool:

	Cents.
Bond, cartage, cooperage	3
Portage at quays $\frac{1}{2}$ f. shed dues $2\frac{1}{2}$	6
Portage, receiving and delivery dues.. 1, 2	
Store rent 10 cents., cooperage dues $\frac{1}{2}$, $10\frac{1}{2}$	
Stamps 1, insurance against fire $1\frac{1}{2}$..	$2\frac{1}{2}$

	Cents.	Dollars.
Interest on charges, short wt. & damage	2	
Commission and guarantee, 4 per cent.	28	0 54
Without duty the consumer would pay		6 65
Against Canada route 83 cents.		
Colonial duty		0 22
		6 77
In favour of Canada route without duty		0 15
		6 92

Cost of the conveyance of one barrel of flour from
Cleveland, Ohio, to Liverpool, *vid* New York, in-
cluding all charges.

Wheat in Cleveland, 5 bushels at 80 cts.	4 00
Freight to Buffalo.	0 25
Insurance and purchasing.	0 10
At Buffalo	4 35
Freight to New York	0 52½
One per cent. commission at New York	0 05
Five months' interest	0 12½
At New York	5 15
Shipping charges at New York	0 05
Cooperage to put in shipping order.	0 02
Insurance to Liverpool, 1 per cent.	0 07
Freight to Liverpool, 1s. 3d. sterling	0 28
	5 57
Less 7 per cent. Exchange	0 39

Actual cost of a barrel of flour at Liverpool. . . .	5	18
Sundry charges after reaching port	0	54
		<hr/>
Brings the article to consumer without duty ..	5	72
Duty on foreign flour at this moment, averages		
being per quarter 5s. 6d.	1	20
		<hr/>
	6	92
In favour of New York route 83 cents per barrel with-		
out duty		
Against it, including duty, 22 cents per barrel.		

I now give the political economist and the mercantile reader an opportunity of viewing the American opinions upon the subject of Canadian prospects in the grand canal scheme of opening Lake Huron to the Atlantic. It is extracted from the *Patriot*, an able Ultra-Tory paper of Toronto, on account of the commentary on the statement of the *New York Journal of Commerce*:

THE FORWARDING TRADE.—SHIP CANALS.

We would recommend a very careful perusal of the following very plain and logical article, from the *New York Journal of Commerce*, on the subject of Ship Canals, especially that of the St. Lawrence.

We do not pretend to any accurate knowledge of these matters, but confess that we have never been able to understand what benefits the Province is to derive from the gigantic line of artificial navigation now advancing to surmount the mighty rapids of the St. Lawrence; or from what source, apart from direct taxation, the interest of the enormous sum there to be buried, is to be paid.

At present, every pound of wheat and flour which the Province and the neighbouring States have to export, can be floated down the broad river itself, with comparatively slight risk, and the vessels return by the Rideau Canal,—and so, with some moderate local improvements, could continue to do, until Canada was traversed in every direction by GOOD ROADS, and had a population some six or ten times greater than she has at present.

We may be wrong, and very probably are; but, viewing these public works pretty much in the spirit in which they are viewed by the great mass of the agricultural population, we feel very uneasy as to the wisdom of burying our half a million of hard-got money in making what we fear will be a useless *Ship-canal*, alongside of a splendid river which can readily carry all our produce for the next half century.

We know that the awful outlay on this canal would have furnished Canada with excellent roads, traversing her forests in every direction, and giving her hard-working yeomanry a chance of bringing their now-often-useless produce to market. We know that, had this sum been so spent, the population of Canada would probably be quadrupled, and a practical good done to her agricultural population, instead of a possible evil in the shape of a gigantic ship-canal, which may be only a yawning chasm, into which the spare capital of this young and struggling country has been too inconsiderately cast.

We will be very glad to receive any information on this subject, and our columns will ever be open to its fair discussion; but our motto has ever been, "Good roads for the Canadian farmer before ship-canal for the Americans."

The Welland Canal is an indispensable work and must be maintained, if it did not pay one per cent. interest.

"ERIE CANAL ENLARGEMENT—CANADA TRADE.

"As flour is the great staple of the West, and as the freight of this article is generally regarded as the standard of the cost of transportation from the West to the seaboard, the rates per barrel by the different routes should be carefully noted. And first we may remark that flour from Lake Erie is delivered at the same rates at Kingston and Oswego. From the former place to Montreal, the regular average cost is 35 cents per barrel, though for some time during last summer it was carried for 25 cents. The distance by stages and steamboats is 180 miles; by the river above 200 miles. Hence, the cost being 35 cents, the rate is one mill and three-fourths per barrel per mile. The average rates from Oswego to New York are about 55 cents per barrel, making a difference of about 20 cents in favour of Montreal. The average charge for freight from the latter port to England is from 3*s.* to 4*s.* sterling; from New York not more than half those rates,—omitting, of course extreme cases, where 1*s.* sterling per barrel has been accepted here, and 5*s.* and 6*s.* sterling demanded at Montreal, and we believe paid in November last. Without the English corn-laws, then, competition with New York would be as hopeless for Montreal, as with the English corn-laws, carefully graduated so as to

turn the scale in favour of Montreal, competition is now hopeless for New York, in reference to the supply of the British markets. The greatest anticipated diminution in the cost of transportation by reason of the enlargement, is stated to be 22 cents, or 1s. sterling per barrel, (Sen. doc. 51, 1841, p. 12); though with the immense debt thereby created, an increase of cost is far more probable than a diminution; but, admitting a reduction of 22 cents per barrel on flour, can this difference be sufficient to counterbalance the great advantages yielded to the Colonies by Great Britain? Can it have any sensible effect in increasing the export of flour hence to that country, as long as the "sliding-scale" and differential duties favouring the North American Colonies, exist? Or, to come nearer home, is it—we will not say necessary or proper—but is it just, to tax the citizens of New York, in order that the property of the inhabitants of other States, or of Canada, may be carried to and from the seaboard more cheaply than at the present low rates? The capacity of the present canal is notorious to all acquainted with the trade of the West; and by means of the railroads alongside, almost any amount of freight may be carried to the Hudson, as cheaply as on the canal. In proof of this, we refer to the average rates for flour on the canal, from Buffalo to Albany, as given in the Report quoted above, viz., 79 38-100 cents for a distance of 363 miles, equal to 2 18-100 mills per barrel per mile, as contrasted with the rates between Albany and Boston, viz., 35 cents for a distance of 200 miles, or 1 75-100 mills per barrel per mile. The railway over the mountains to Boston carries, therefore, at lower rates than does the canal to Albany, and at about the anticipated rates on the enlarged canal, with the advantages of four or five times the speed, and throughout the year. The people of New York have consequently nothing to gain by the enlargement, either as regards a diversion of the traffic from the St. Lawrence, or as a means of increasing the facilities or cheapness of communication with the Western States, or with the interior of this State, either in winter or summer.

"The so-called 'ship canal' around the rapids of the St. Lawrence, is 10 feet deep, locks 55 feet wide, and 200 feet long. Of this about 12 miles are nearly done, at a cost of 150,000 dollars per mile; and as about 28 miles more will be required, the entire cost of the 'Improvement of the St. Lawrence' above Montreal, may be put down at 6,000,000 of dollars. The present trade is carried on in 'barges,' which take 1,500 barrels of flour at high-water, and 1,000 barrels at low-water from Kingston to Montreal by the river, paying no toll, and return by the Rideau Canal, the tolls of which route do not exceed those by the Erie Canal. The present boats on the Erie Canal carry about 50 tons. The 'Improvement of the St. Lawrence'

is intended to cheapen transportation by the introduction of a different class of vessels for the Western trade; but we are informed that no precise dimensions of these vessels, nor any statements of the contemplated tolls on these canals, have been made public, and that the locks on different parts are to be of different widths—diminishing, perhaps, with the means of the province, or rather as John Bull may feel inclined to 'fork out,' or otherwise.

"The improvement of the river itself between the points connected by the canals, is also to be undertaken; and it is now said that a trifling sum will remove all obstructions to vessels of 150 tons burthen in the lowest water, and thus reduce the cost from Kingston to Montreal, to about half that from Oswego to New York. But, even with this reduction, how are the Canadians to divert the flour and pork for the people of New York, New Jersey, and the Eastern States from the Erie Canal and Hudson to the St. Lawrence? It may be very easy to carry the produce to Montreal, but how is it to be carried thence to Albany, New York, Newark, Hartford, Boston, &c.?—The present trade of the St. Lawrence arises from the demand for flour in England, which, if furnished by this continent must go by way of the St. Lawrence. The present trade of the Erie Canal rests mainly on the demand for consumption in this country. Were flour carried for 20 cents. per barrel from Kingston to Montreal, the consumers in the Atlantic States and the marine, would not receive a barrel less than they now receive *via* the Erie Canal; and, on the other hand, were flour carried from Oswego to New York for 30 cents. per barrel, the merchants of Quebec and Montreal would not ship a barrel more or less to England, notwithstanding these assumed rates are much lower than can ever be expected.

"So far are we from fearing the 'ship canals' of Canada, that we believe the enormous debt they are now running up, will, by rendering the highest toll indispensable, tend rather to divert than to attract the western trade. Had the present Erie Canal been 'let alone,' the tolls might have been reduced one half, and thus all the anticipated advantages of the enlargement would have been secured some years since, without any cost to the state. Indeed, at this moment, the rates from Buffalo to Albany are 25 per cent. lower than the average rates given above from official documents, and are not three cents. per barrel higher than the lowest rates ever contemplated by the friends of the enlargement; that is, 57 38·100 cents.—(See doc. No. 51, 1841, p. 12); yet we do not perceive the magical effects on the prosperity of the country so confidently predicted, nor have we heard that the low freights of last summer on the St. Lawrence—25 cents. per barrel of flour from Kingston to Montreal—have done

anything for the commercial interests of our northern neighbours. Hence we conclude, that no large amount of additional capital can be now safely invested in improving these thoroughfares, but that the true policy is to reduce the tolls, and if the canal be crowded beyond a few days in the season, to build extra locks and reservoirs when and where wanted only, or permit the railroads to carry freight, or both. Of the St. Lawrence—being out of our jurisdiction—we shall merely say, that, as the Lachine Canal is nearly three times the size of the Erie Canal, and as the tolls increase in a still greater proportion—being four times the tolls and 70 per cent. more than the total cost of transportation on the Erie Canal!—we do not very clearly see by what process of reasoning a canal ten times larger, is to reduce the cost of transportation. Experience and proper caution are however scouted by politicians and adventurers, who, having everything to gain by the extravagance of the Government, clamour loudly, and too often successfully, for the immediate construction of the most visionary undertakings.— Still, we venture to predict, that the enlargement of the Erie Canal will not be completed for many years;—these very formidable advocates of the measures to the contrary notwithstanding; that the future expenditures of this state will bear a more reasonable proportion to her income than hitherto; and, lastly, that the construction of the St. Lawrence Canal, on its present gigantic scale, will do as little to injure, as will the enlargement of the Erie Canal to foster and increase, our western trade. In other words we fear the enlargement much more than the ‘ship canals.’ ”—*New York Journal of Commerce.*

PROVINCE OF CANADA.

TARIFF OF DUTIES PAYABLE ON IMPORTS INTO
CANADA.*Under the Act 12 Victoria, cap. 1.*

Animals, specially imported for the improvement of stock	Free.
Animals and live stock—all	20 per cent.
Anatomical preparations	Free.
Anchors	2½ per cent
Apples, green or dried	30 "
Ashes,—pot, pearl, and soda	Free.
Bacon	20 per cent.
Barley, beans, bere, and bigg	20 "
Beef	20 "
Berries used in dyeing	2½ "
Biscuit	12½ "
Books, printed	Free.
Books, reprints of British copyright works	Prohibited.
Books, blank	12½ "
Books and drawings of an immoral or indecent character	Prohibited.
Boots and shoes	12½ per cent
Bran and shorts	20 "
Brandy	2s. per gall. and 25 "
Bristles	2½ "
Broom-corn	2½ "
Brooms	12½ "
Brushes	12½ "
Buckwheat	20 "
Bulbs, roots, and trees	Free.
Burr stones	2½ per cent.
Burr stones, wrought	12½ "
Busts and casts of marble, bronze, alabaster, or plaster of Paris	Free.
Butter	20 per cent.
Cabinets of coins, medals, or gems, and other collec- tions of antiquity	Free.
Candles	12½ per cent.
Castings	12½ "
Chain cables, not less than 15 fathoms, and links five- eighths of an inch thick	2½ "
Cheese	20 "
Cider	12½ "

Clocks	12½ per cent.
Coals and coke	2½ "
Coffee, green	4s. 8d. per cwt. and 12½ "
Coffee, roasted or ground	14s. per cwt. and 12½ "
Coin and bullion	Free.
Coin, base or counterfeit	Prohibited.
Cordials	3s. per gallon and 25 per cent.
Cotton wool	Free.
Cotton manufactures	12½ per cent
Drugs	12½ "
Drugs, used solely in dyeing	2½ "
Dye woods	2½ "
Earthenware	12½ "
Engravings, etchings, and drawings	Free.
Feathers	12½ per cent.
Fish	12½ "
Flax and tow, undressed	2½ "
Flour	20 "
Fruits, all kinds	30 "
Furs	12½ "
Furniture	12½ "
Gin	2s. per. gall. and 25 "
Ginger	30 "
Glass, and manufactures of	12½ "
Glue	12½ "
Grease and scraps	2½ "
Hair, and manufactures of	12½ "
Hams	20 "
Harness	12½ "
Hardware	12½ "
Hats	12½ "
Hemp	2½ "
Hides	2½ "
Honey	12½ "
Hops	20 "
Indian corn	Free.
Indian-rubber and manufactures	12½ per cent.
Indigo	2½ "
Ink	12½ "
Iron—Bar and rod not hammered	2½ "
Sheet, not thinner than sixteen wire gauge	2½ "
Hoop, not over 2 inches broad	2½ "
Charcoal-made or refined	2½ "
Boiler plates	2½ "
Railroad bars	2½ "
Spike rods	2½ "

Iron—pig and scrap	2½ per cent.
Jewelry	12½ "
Junk or Oakum	2½ "
Lamps	12½ "
Lard	2½ "
Lead, pig and sheet	2½ "
Lead manufactures	12½ "
Leather, and manufactures of	12½ "
Lemon syrup	12½ "
Linen, and manufactures of	12½ "
Liqueurs	3s. per gall. and 25 "
Macaroni	30 "
Machinery, all	12½ "
Mahogany	12½ "
Manures, all kinds	Free.
Maps	Free.
Marble, in blocks unpolished	2½ per cent.
Marble, all others	12½ "
Meal, Indian	12½ "
Meal, other	20 "
Meats, all, except mess pork	20 "
Medicines	12½ "
Models of machinery and other inventions and im- provements in the arts	Free.
Molasses	3s. per cwt. and 12½ per cent.
Musical instruments	12½ "
Nails	12½ "
Nuts	30 "
Nuts used in dyeing	2½ "
Oats	20 "
Oil—palm and cocoa-nut	2½ "
Oil—all other	12½ "
Oranges and lemons	30 "
Ores of all metals	2½ "
Oysters	12½ "
Paints	12½ "
Paintings	Free.
Paper and paper manufactures	12½ per cent.
Peas	20 "
Pepper and pimento	30 "
Perfumery	12½ "
Philosophical instruments and apparatus	Free.
Pickles and sauces	12½ per cent.
Pipeclay	2½ "
Pipes, smoking	12½ "
Pitch	2½ "

Pork, mess	12½ per cent.
Pork, all other	20 "
Preserved fruits	30 "
Quills	12½ "
Quinces	30 "
Raisins	30 "
Resin or rosin	2½ "
Rice	12½ "
Rope	12½ "
Rope, tarred—when imported by shipbuilders for rig- ging their ships	2½ "
Rum, at proof, by Sykes' hydrometer, 1s. 3d. per gall. and	25 "
Rye	30 "
Saleratus	12½ "
Salt 1d. per bushel and	12½ "
Saw logs	2½ "
Seeds	12½ "
Segars 1s. 6d. per lb. and	12½ "
Ships' water casks in use	2½ "
Snuff 4d. per lb. and	12½ "
Soap	12½ "
Specimens of natural history, mineralogy, and botany	Free.
Spices, all	30 per cent.
Spikes	12½ "
Spirits, except rum and whisky, at proof, 2s. per gall. and	25 "
Spirits or cordials, sweetened so that the strength cannot be found by the hydrometer 3s. per gall. and	25 "
Spirits of turpentine	12½ "
Steel	2½ "
Steel manufactures	12½ "
Sugar, refined, in loaves or crushed, and candy 14s. per cwt. and	12½ "
Sugar, bastard and other kinds 9s. per cwt. and	12½ "
Sumach	2½ "
Syrups	12½ "
Tallow	2½ "
Tar	2½ "
Tea 1d. per lb. and	12½ "
Teasels	2½ "
Tin and tin-ware	12½ "
Tobacco, manufactured 1d. per lb. and	12½ "
Tobacco, unmanufactured ½d. per lb. and	12½ "
Tow, undressed	2½ "
Toys	12½ "
Type metal, in blocks or pigs	2½ "
Types	12½ "

Varnish	12 $\frac{1}{2}$ per cent
Vegetables used in dyeing	2 $\frac{1}{2}$ „
Vegetables	12 $\frac{1}{2}$ „
Veneers	12 $\frac{1}{2}$ „
Vermicelli	30 „
Vinegar	30 „
Watches	12 $\frac{1}{2}$ „
Wax	12 $\frac{1}{2}$ „
Whalebone	12 $\frac{1}{2}$ „
Wheat	Free.
Whisky, at proof 3d. per gall. and	12 $\frac{1}{2}$ „
Wine, in wood, value £15 the pipe of 126 gallons or under,	6d. per gall. and 25 „
Wine, value over £15 the pipe 1s. 6d. per gall. and	25 „
Wine in bottles 4s. per gall. and	25 „
Wood and lumber	12 $\frac{1}{2}$ „
Wood used in making carpenters' tools	2 $\frac{1}{2}$ „
Wool	2 $\frac{1}{2}$ „
Wool manufactures	12 $\frac{1}{2}$ „
All goods, wares, and merchandise, not enumerated	12 $\frac{1}{2}$ „

EXEMPTIONS.

Arms, clothing, cattle, provisions and stores of every description, which any commissary or commissaries, contractor or contractors, shall import or bring, or which may be imported or brought by the principal or other officer or officers of Her Majesty's Ordnance into the province for the use of Her Majesty's army or navy, or for the use of the Indian nations in this province; provided the duty otherwise payable thereon would be defrayed or borne by the treasury of the United Kingdom of this province.

Horses and carriages of travellers; and horses, cattle, and carriages and other vehicles, when employed in carrying merchandise, together with the necessary harness and tackle, so long as the same shall be *bonâ fide* in use for that purpose, except the horses, cattle, carriages, vehicles and harness of persons hawking goods, wares, and merchandise through the province for the purpose of retailing the same, and the horses, cattle, carriages, and harness of any circus or equestrian troop for exhibition. The horses, cattle, carriages and harness of any menagerie to be free.

Donations of clothing specially imported for the use of, or to be distributed gratuitously by any charitable society in this province.

Seeds of all kinds, farming utensils and implements of husbandry, when specially imported in good faith by any society incorporated or established for the encouragement of agriculture.

Salt for the use of the fisheries, and wine for the use of regimental messes.

The following articles in the occupation or employment of persons coming into the province for the purpose of actually settling therein, viz. :

Wearing-apparel in actual use, and other personal effects not merchandise ; horses and cattle ; implements and tools of trade of handycraftsmen.

The personal household effects, not merchandise, of inhabitants of this province, being subjects of Her Majesty, and dying abroad.

And the following articles, when imported directly from the United Kingdom, and being the growth, produce, or manufacture of the said United Kingdom, viz. :

Animals, beef, pork, biscuit, bread, butter, cocoa-paste, corn or grain of all kinds ; flour ; fish, fresh or salted, dried or pickled ; fish oil ; furs or skins, the produce of fish or creatures living in the sea ; gypsum, horns, meat, poultry, plants, shrubs and trees, potatoes and vegetables of all kinds. Seeds of all kinds, skins, pelts, furs or tails undressed. Wood, viz., boards, planks, staves, timber, and firewood.

And the following articles when imported direct from the provinces of Nova Scotia, New Brunswick, and Prince Edward's Island, and being the growth, produce, or manufacture of said provinces respectively, viz. :

Grain and breadstuffs of all kinds, vegetables, fruits, seeds, hay and straw, hops, animals, salted and fresh meats, butter, cheese, chocolate and other preparations of cocoa, lard, tallow, hides, horns, wool, undressed skins, and furs of all kinds, oxen of all kinds, iron in pigs and bloom, copper, lead in pigs, grindstones and stones of all kinds ; earth, coals, lime, ochres, gypsum, ground or unground ; rock-salt, wood, bark, timber and lumber of all kinds, firewood, ashes, fish, fish-oil ; viz., train-oil, spermaceti-oil, head matter and blubber, fins and skins, the produce of fish or creatures living in the sea.

Amount of Revenue and Expenditure.

	£	s.	d.
1850 : Total expenditure	532,063	12	4
Excess of revenue over expenditure	172,170	10	1
Total currency	£704,234	2	5

1850 : Nett revenue of Customs' duties	581,132	12	0
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Statement of Imports.

1849	444,547	5	1
1850	615,694	13	8

Tonnage of Vessels by Canals.

1850 : Welland	587,100 tons.
St. Lawrence	460,180 „
Chambly	143,194 „

<i>Receipts of Tolls by Canals.</i>		£	s.	d.
1850: Welland	.	37,742	17	2½
St. Lawrence	.	19,730	13	7
Chambly	.	2,956	7	4½
Burlington Bay Canal	.	3,679	6	2
St. Ann's Lock	.	807	6	7½
Total by canals		£66,772	10	6½

Number and Tonnage of Vessels registered in the Province of Canada in 1850.

Steamers	.	31
Tonnage of ditto	.	2,986½
Sailing vessels	.	213
Tonnage of ditto	.	33,148
1850: Value of dutiable and free goods imported	£4,245,517	3 6
Duties collected	615,694	13 8
Total value of Canadian produce and manufacture exported from sea and inland ports in 1850	£3,235,948	15 9

Number of Vessels inward and outward in 1850.

Montreal	.	312
Quebec	.	1,275
Total tonnage	.	543,963
Men	.	19,116

In 1851, 95 more vessels than in 1850.

Population of Upper and Lower Canada is now about equal, and may amount, conjointly, to 1,582,000 souls.

Schools.—Dr. Ryerson, the able superintendent of education, reports that in 1850, 259,258 children attended school in Western Canada. There are besides in each district a grammar-school, various model-schools, and at Toronto an excellent Normal school.

Amount of crops, showing that Canada is a more agricultural country than the United States.

In 1847 population of Canada West	.	723,332
Ditto ditto United States	.	20,746,400

CANADA WEST.		UNITED STATES.	
Bushels.	Quantity to each inhabitant.	Bushels.	Quantity to each inhabitant.
Wheat 7,558,773	1,046	114,245,500	550
Oats 7,055,730	975	167,867,000	809
Maize 1,137,555	157	539,350,000	2,601
Potatoes 4,751,331	657	100,965,000	486

List of economic Minerals and Deposits of Canada exhibited by W. E. Logan, Esq., F.R.S., Provincial Geologist, at the Great Exhibition in London, 1851.

METALS.

Iron, magnetic.
specular.
bog.
titaniferous.
Zinc, sulphuret.
Lead "
Copper "
Nickel "
Silver, native, &c.
Gold, in gravel, &c.

CHEMICAL MATERIALS.

Uranium.
Chromium.
Cobalt.
Manganese.
Iron pyrites.
Dolomite.
Magnesite.

STONE PAINTS.

Barytes.
Iron ochre.
Talcose slate.
Soapstone.
Serpentine.
Ferruginous clay.

MATERIALS APPLICABLE TO THE ARTS.

Lithographic stone.

MATERIALS APPLICABLE TO JEWELLERY, &c.

Agates.
Jasper.
Labradorite.
Sunstone.
Hyacinths.
Oriental rubies. }
Sapphires. }
Amethysts.
Ribbioned Chert.
Jet.

MATERIALS FOR GLASSMAKING

White quartz sandstone.
Pitchstone, basalt, &c.

REFRACTORY MATERIALS.

Soapstone.
Asbestos.
Sandstone.
Plumbago.

MANURES.

Phosphate of lime.
Gypsum.
Shell Marl.

GRINDING AND POLISHING MATERIALS.

Millstones.
Grindstones.
Whetstones
Hones.
Tripoli.

MATERIALS FOR PAVING, TILING, &c.

Slates, roofing.
Flag-stones.

BUILDING MATERIALS.

Granite, superior.
Pseudo-granite.
Sandstone.
Calcareous ditto.
Limestone.
Lime.
Clay.
Marble.

COMBUSTIBLE MATERIALS.

Peat.
Petroleum.
Naphtha.
Asphalt.

SUNDRY OTHER MATERIALS.

Moulding sand.
Fuller's-earth.

NOTE.—No coal has been found in Canada; but the Halifax and Quebec railroad, if completed, will supply it abundantly from Nova Scotia and New Brunswick. Mr. Logan recently put into my hand a glass bottle full of Canadian gold, about £450's-worth, from the Rivière du Loup, a branch of the Chaudière.

J. E. ALEXANDER, A.D.C.

Montreal, Christmas, 1851.

THE END.

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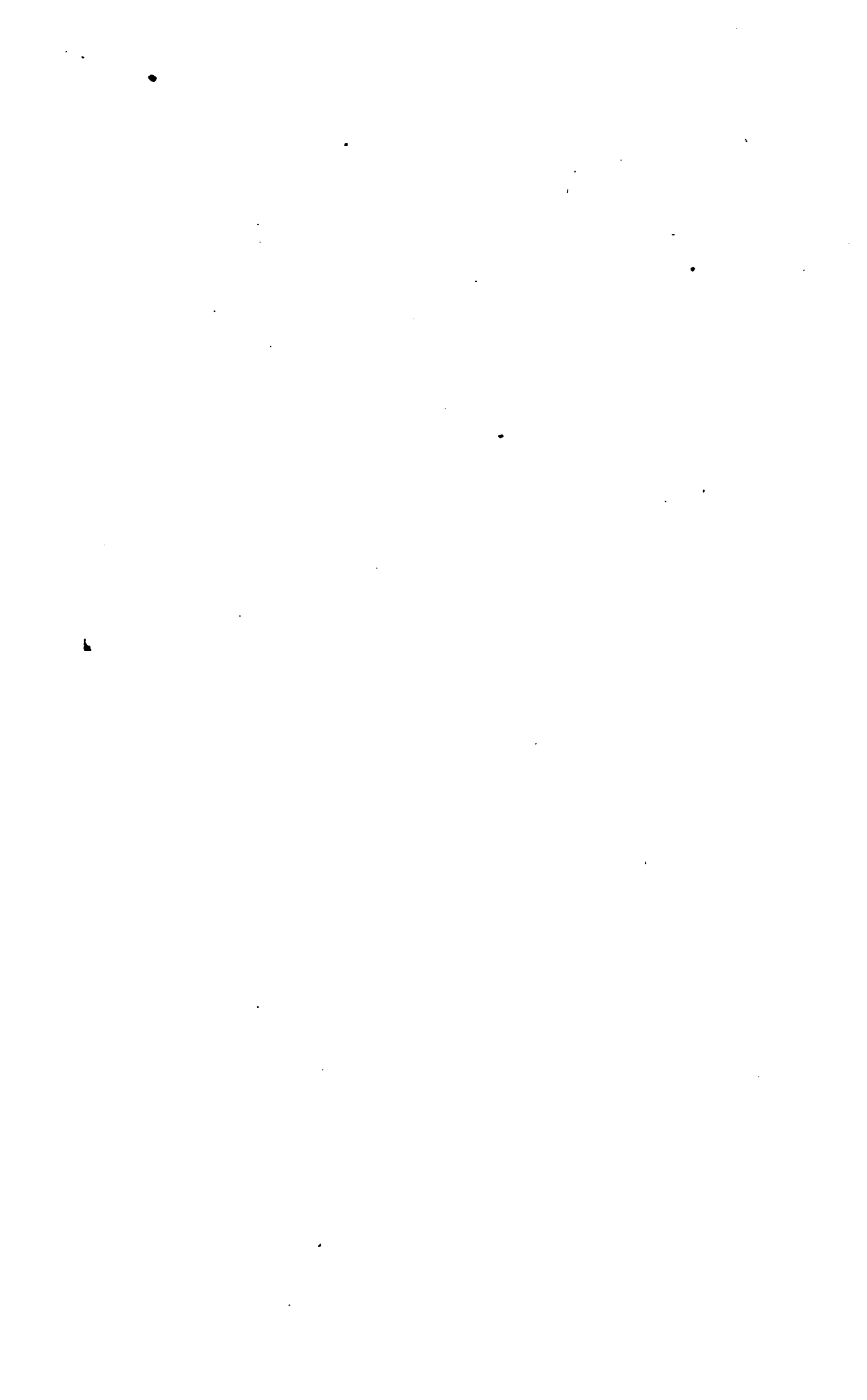
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